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Mr Jeff Roberts
The Secretary
Advisory Council on Intellectual Property
PO Box 200
WODEN ACT 2606

8 August 2002

Dear Mr Roberts

I respond on behalf of the University of Canberra to the request from the Advisory Council on Intellectual Property for comment with respect to the exclusion of plant and animal subject matter from the recently introduced innovation patent.

Firstly, the University applauds the introduction of the innovation patent system which provides significant advantages over the previous petty patent system.

Secondly, whilst this University is not involved in research at this time that would result in a patent application on plant and animal subject matter, we can see no valid reason as to why plant and animal subject matter should be excluded from the recently introduced innovation patent legislation although special provisions may need to be made for whole organisms (eg transgenics).

We believe that the exclusion for plants and animals or biological processes for the generation of plants and animals from the innovation patent system is restrictive and unnecessary. It would seem appropriate to offer, without restriction, the complete range of intellectual property protection options for inventors and industry to determine the most appropriate form of protection.

We hope you find these comments useful in your deliberations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Allan Cripps'.

Allan W Cripps
Pro Vice-Chancellor