

4 April 2011

Ms Terry Moore
Director, Domestic Policy
IP Australia
47 Bowes Street
WODEN ACT 2606
By email to: terry.moore@ipaaustralia.gov.au

Dear Ms Moore

Re: Intellectual Property Laws Amendment (Raising the Bar) Bill 2011

Thank you for the opportunity to comment on the Intellectual Property Laws Amendment (Raising the Bar) Bill 2011(**the Bill**).

AusBiotech is Australia's biotechnology industry organisation, which represents over 3,000 members, encompassing medicines, medical devices and diagnostics, agricultural, environmental and industrial sectors in biotechnology.

In its recent submission to the Senate inquiry into the Patent Amendment (Human Genes & Biological Materials) Bill 2010, AusBiotech stated its belief that the thresholds for patentability should be properly set and rigorously applied across all forms of invention, ie: in a technology-neutral manner. As such, AusBiotech confirms its support in general for the package of intellectual property reform developed by IP Australia and contained in the Raising the Bar Bill.

Specifically, AusBiotech is in favour of a broad research use exemption from patent infringement becoming enshrined in Australia's patent law so this country's researchers and industry may be confident as they strive to innovate.

AusBiotech strongly encourages the Australian Government to introduce the Raising the Bar Bill into Parliament as soon as possible so that the many consequential benefits of the law reform can be affected.

Finally, AusBiotech welcomes the opportunity for further engagement with IP Australia on this and on potential future legislative amendments to ensure that the needs of, and any impacts on, Australia's emerging biotechnology sector continue to be considered.

Please do not hesitate to contact me at alavelle@ausbiotech.org or on (03) 9828 1400.

Yours sincerely



Dr Anna Lavelle
Chief Executive Officer
AusBiotech Ltd

