

Media Coverage

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Patentology Newsbytes

A semi-regular round-up of breaking news, current events and comments too trivial to warrant their own posts.

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AUSBIOTECH, LEGAL ACADEMICS AND *ARDR* WEIGH-IN ON GENE PATENT DEBATE

With the Myriad BRCA gene patent under attack in the Australian Federal Court, a respected television investigative journalism program delivering (largely) a hatchet-job, a Private Members' Bill seeking to outlaw patents on biological materials being tabled in the Senate, and a decidedly equivocal Senate Committee Report having been published questioning the validity of 'gene patents' (though not going to far as to advocate their express abolition), 2010 has been a year of challenges for biotechnology patents in Australia.

However, while it seems that emotional and alarmist views are more attractive to the mainstream media, the debate is not entirely one-sided. Australia's biotechnology organisation, AusBiotech, has issued two recent press releases, *Call for clam in gene patent debate* and *Careful consideration needed before action in gene patent debate*, and has also been actively educating and lobbying members of the Australian Parliament, who will ultimately decide the fate of any legislative changes.

Australian legal academics Dianne Nicol (Faculty of Law, University of Tasmania) and David Brennan (Melbourne Law School) wrote an article published in *The Age* newspaper on 6 December 2010, entitled *Balanced measures, not blanket bans, are needed on patenting biotechnology*.

And the latest issue of the *Australian R & D Review* includes a cool-headed summary of the ongoing debate and issues entitled *Patent or Not to Patent...* (page 35).

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IP AUSTRALIA CHRISTMAS CLOSEDOWN ARRANGEMENTS

IP Australia (the government body encompassing the Patent, Trade Marks and Designs Offices) has issued an Official Notice clarifying the arrangements for the Christmas closedown period.

As in past years, the Canberra Offices themselves will be closed. However, with the replacement of the sub-offices in each state capital city with 'IP Lodgement Points' at nominated Australia Post Offices it is no longer the case that all possible filing points will be physically closed for business during the Christmas period.

The Notice clarifies that the IP Lodgement Points 'are taken not to be open for business for the purposes of lodging IP documents and/or making IP-related payments from Saturday, 25 December 2010 up to and including Monday, 3 January 2011.'

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Any relevant filing deadlines falling within the closedown period will be automatically extended to 4 January 2011.

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DUPONT INNOVATION AWARDS

DuPont (Australia) Limited are searching for commercial innovators for their 2010/2011 innovation awards. However, time is running out, with entries closing on 16 December 2010. Award categories for 2010/2011 are:

1. Building Innovation
2. Agriculture & Food Production and Marketing
3. Performance Materials
4. Design for a Sustainable Future
5. Medical and Healthcare
6. CSIRO Young Innovator Award
7. DuPont Chair's Award
8. People's Choice Award

For further details, visit the Awards official website.

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GOOGLE TO PROVIDE EUROPEAN PATENT TRANSLATION SERVICE

The Associated Press has reported an announcement by Google of an agreement forged with the European Patent Office (EPO) to use its technology to translate patents into 29 European languages, a deal officials hope will smooth the way toward a simplified European patent system after years of infighting. (Read the story in *The Age* here.)

We wrote previously of the possibility of machine translations being used to address the deadlock with some member states (most notably, but not only, Spain) over attempts to create a pan-European patent without onerous and expensive requirements for high-quality manual translations into all countries' official languages.

Machine translations, if sufficiently accurate, may be adequate for most purposes short of actual enforcement.

Google's translation technology is based on statistical techniques, like a kind of digital Rosetta Stone. The translation engine is 'trained' to translate between languages by feeding it samples of equivalent documents in two or more languages. According to Wikipedia (so it must be true), Google recently improved its translation capabilities by inputting approximately 200 billion words from United Nations materials to train its system.

While Google does not expect any short-term financial gain from the EPO deal, it will gain access to a vast body of patents already translated into different languages to help improve its translation technology.