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AusBiotech supports research exemption in patent reform Bill

AusBiotech has welcomed the research exemption from patent infringement in Australia's intellectual property reform bill introduced into Parliament today.

[Tim Dean](#) (Australian Life Scientist)



AusBiotech CEO, Dr Anna Lavelle.

AusBiotech has raised its voice in favour of the research exemption provision in the reforms to Australia's patent laws, The Intellectual Property Laws Amendment (Raising the Bar) Bill 2011, which was introduced into Parliament today.

The Bill, which is also known as the Raising the Bar Bill, was developed by IP Australia, and seeks to amend Australia's intellectual property laws to strengthen and improve them, bringing them more in line with IP laws found in the United States and Europe.

Notably, the Bill includes a provision explicitly allowing individuals to conduct research even when the subject of the research is protected by a patent.

The amendment (from the [exposure draft](#) released by IP Australia reads: "A person may, without infringing a patent for an invention, do an act that would infringe the patent apart from this subsection, if the act is done for experimental purposes relating to the subject matter of the invention."

AusBiotech has come out in favour of this amendment as a method of strengthening patent laws while allowing for scientific research all in a technology-neutral manner.

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AusBiotech has publicly and strongly opposed the Patent Amendment (Human Genes & Biological Materials) Bill 2010, which seeks to prohibit the patenting of a broad range of biological materials.

According to AusBiotech CEO, Dr Anna Lavelle, the Raising the Bar Bill provides sufficient strengthening of Australian patent law, while allowing researcher to continue unimpeded, and without explicitly banning any particular materials from patent protection.

“Two years of consultation and deliberation that has resulted in the ‘Raising the Bar’ Bill, will guarantee a strengthening of Australia’s IP management system,” she said.