

[AUSBIOTECH, FEDERAL GOVERNMENT](#)

Ausbiotech has welcomed a Senate report recommending that the Patent Amendment (Human Genes & Biological Materials) Bill 2010, should not be passed.

Ausbiotech said the Senate Legal and Constitutional Committee Inquiry into the Bill was tabled in the Senate last night.

A Senate officer told Biotech Daily that the Bill was a private members bill sponsored by Liberal Senators Helen Coonan and Bill Heffernan, Greens Senator Rachel Siewert and independent Senator Nick Xenophon.

The Senate officer said the only opportunities for the Bill to have its Second Reading were on Thursday mornings when the Senate was sitting and it was unlikely the Bill would be read this year.

The Government dominates the Senate Legal and Constitutional Committee, but the Greens and Coalition could command a majority in the Senate to pass the Bill.

Ausbiotech chief executive officer Dr Anna Lavelle welcomed the Committee's finding.

"This is the right outcome for patients, researchers and for innovation in this country. I now call on the Senate to abandon the Bill, as recommended," Dr Lavelle said.

Ausbiotech said there had been five Australian inquiries in recent years into patentable subject matter and each has consistently recommended that excluding specific subject matter from patentability was not the right option.

Ausbiotech said the proposed Bill "fails completely to address any of the valid concerns raised by the community about gene patents and should be rejected".

"The Bill does not serve the interests of patients, researchers or industry and, in fact, the Bill threatens the very foundations of scientific research and development of biological therapies and other technologies which are built on patents," Dr Lavelle said.

The Australian Greens told Biotech Daily they did "not believe it appropriate for pharmaceutical and biotechnology companies to be able to own the intellectual property rights and enjoy exclusive use of human genes".

"Isolated genetic material should be regarded as a discovery, not as an invention," the Greens said.

"We are particularly concerned by the prospect that such patents could see exorbitant fees charged for medical tests and treatments for many diseases, including cancer," the Greens said.