

PATENTS CONSULTATION GROUP

29 October 2008

Discussion paper: 3	Title: Outcomes from the Review of the National Innovation System
	<p>Purpose:</p> <p>The purpose of this agenda item is to provide the Patent Consultation Group with an overview of:</p> <ul style="list-style-type: none">• the findings and recommendations from the Review of the National Innovation System; and,• progress regarding the Government's (white paper) response. <p>Background:</p> <p>On 9 September 2008 Senator Kim Carr, Minister for Innovation, Industry, Science and Research, released the findings of the Review of Australia's National Innovation System (NIS). The report entitled "Venturous Australia – building strength in innovation" can be viewed by following the link below.</p> <p>http://www.innovation.gov.au/innovationreview/Pages/home.aspx</p> <p>The "Venturous Australia" report emphasises the importance for Australia of linking in to the global innovation system. It also examines a range of indicators of innovation performance and concludes that Australia is starting to fall behind its international counterparts.</p> <p>The recommendations made in the report, range across a number of key themes including innovation in business, strengthening people and skills, excellence in national research, information and market design, and taxation.</p> <p>There are several references to intellectual property (IP) in the report, including a section at pages 83 – 87 devoted to the topic.</p> <p>Of particular interest is recommendation 7.2, which states that "patent law should be reviewed to ensure that the inventive steps required to qualify for patents are considerable, and that the resulting patents are well defined, so as to minimise litigation and maximise the scope for subsequent innovators".</p> <p>The report also discusses the high and rising cost of enforcing intellectual property rights and endorses the dispute resolution initiatives discussed at section 3.1 of IP Australia's submission to the review. IP Australia's submission can be viewed by following the link below.</p> <p>http://www.innovation.gov.au/innovationreview/Documents/537(R)-IP_Australia.pdf</p>

	<p>The NIS Review has provided broad support for most of the initiatives proposed in IP Australia's submission and it remains to be seen whether these will be endorsed by the Government.</p> <p>Work has now commenced on the Government's (white paper) response to the review which is likely to be completed early in 2009. IP Australia will contribute to this process by drafting material for inclusion in the paper.</p> <p>Action:</p> <p>A brief discussion of the IP recommendations of the "Venturous Australia" Report (namely recommendations 7.2, 7.3, 7.4, 7.8, 7.10 & 7.14) and views of members will occur at the meeting.</p>
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