



THE HON CHRISTOPHER PYNE MP
MINISTER FOR INDUSTRY, INNOVATION AND SCIENCE
LEADER OF THE HOUSE

04 MAR 2016

Mr Anthony Alder

MC16-000156

Dear Mr Alder

Thank you for your email of 4 January 2016 to the Hon Wyatt Roy MP, Assistant Minister for Innovation, and myself concerning intellectual property (IP) and innovation in Australia.

The first concern you raise is the high cost to small businesses and inventors of enforcing their IP rights. The Australian Government is committed to having an IP system that meets the needs of Australian business, including in the area of enforcement. To this end, the Government has asked the Productivity Commission (PC) to undertake an inquiry into Australia's IP arrangements. The PC has been asked to consider whether current arrangements strike the right balance between incentives for innovation and investment, and the interests of individuals and businesses in accessing ideas and products. The PC is also examining enforcement, including other options such as the United Kingdom Intellectual Property Enterprise Court. You can find more information about the inquiry at www.pc.gov.au/inquiries/current/intellectual-property/ and I encourage you to engage with the inquiry.

You are also concerned about innovators falling prey to unscrupulous operators posing as IP attorneys. The Australian Federal Police has responsibility for investigating offences under the IP legislation, including practising as an attorney without being registered, which they progress according to their case prioritisation model. However, I am informed that in a number of cases, IP Australia has sent warnings to operators that appear to be acting contrary to the legislation. IP Australia will also review the information provided on its website to assist with public awareness about this issue. You suggest that IP Australia only considers correspondence from the IP owner or a registered attorney. Noting that such a move would likely increase administration costs for users of the IP system, the Government will continue to monitor the situation and determine the best way of addressing it.

Thank you for bringing your views to the Government's attention.

Yours sincerely

Christopher Pyne MP

CC: The Hon Wyatt Roy MP, Assistant Minister for Innovation