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27 September 2012

Productivity Commission
Compulsory Licensing of Patents
LB2 Collins Street East
Melbourne VIC 8003

By E-mail ONLY
patents@pc.gov.au

Dear Sirs

Re: Compulsory Licensing of Patents

CSL Limited ("CSL") is an Australian listed global specialty biopharmaceutical company that aims to identify, develop and commercialise important, new, biotherapeutic products that prevent or treat serious medical conditions. We are committed to significantly investing in our research and development portfolio in the areas of plasma replacement therapies, vaccine, immunomodulators and therapeutic proteins (using recombinant technology). With major facilities in Australia, Germany, Switzerland and the US, CSL has over 10,000 employees working in 27 countries. CSL is an active user of the patent system in Australia and other jurisdictions, particularly patents in the biotechnology/biological area.

CSL makes the following submission in response to this consultation paper:

CSL has had the opportunity to review an advanced draft of the detailed submission being made on behalf of the Institute of Patent and Trade Mark Attorneys of Australia ("IPTA") in response to this consultation paper. CSL agrees with and supports the IPTA submission.

From a broad prospective, we believe that the systems already in place provide adequate protection to ensure that patented technology is appropriately made available to the Australian community. We would be concerned that any weakening of the current provisions may reduce the incentive to innovate, and to invest in innovation and commercialisation in Australia

We thank you for the opportunity to comment on the Australian Government's Productivity Commission Issues Paper.

Sincerely,

Philip Keep, PhD
Vice President Intellectual Property