



MEDIA RELEASE

Bob Baldwin, MP

Parliamentary Secretary to the
Minister for Industry, Tourism and Resources

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INTELLECTUAL PROPERTY LAWS AMENDMENT BILL 2006

The Intellectual Property Laws Amendment Bill 2006, which amends several pieces of intellectual property (IP) legislation, was passed in Parliament today.

“The Bill marks the introduction of new policy initiatives and the improvement of the operation of the legislation” said Bob Baldwin, Parliamentary Secretary to the Minister for Industry, Tourism and Resources. The Bill amends the *Patents Act 1990*, the *Trade Marks Act 1995*, the *Designs Act 2003*, the *Plant Breeder’s Rights Act 1994*, and the *Olympic Insignia Protection Act 1987*.

The Bill amends the *Patents Act* to implement recommendations of two reviews of the intellectual property system. The amendments are aimed at strengthening the patent system, promoting competition and ensuring the system does not have any unnecessary adverse impacts on third parties.

One of the key changes to be implemented relates to springboarding, which refers to using a patent to collect data in order to obtain regulatory approval of a generic version of a pharmaceutical substance during the life of the patent. Springboarding will now be allowed on any pharmaceutical patent at any time under wider provisions. The springboarding amendments to the *Patents Act* remove an obstacle to the development of generic drugs in Australia, while remaining consistent with Australia’s international obligations.

In relation to trade marks, the Bill allows certain documents to be made available for public inspection at an early stage in the application process. This amendment will enable the development of a quick and efficient system that simplifies requests for information on trade mark files whilst still being mindful of applicants filing sensitive business information as part of their application.

Other amendments to the intellectual property Acts made by the Bill will enhance the intellectual property system in Australia. Mr Baldwin welcomed these amendments, and said “the Government is committed to encouraging innovation and providing Australia with a strong and robust intellectual property system that meets the needs of Australians. The passage of the Bill is a clear demonstration of this commitment.”

The amendments have also been welcomed by Dr Ian Heath, Director-General of IP Australia, the Government agency responsible for the administration of the patents, trade marks, designs and plant breeder’s rights systems in Australia. He said “the amendments represent another step in the continuing process of improving Australia’s intellectual property system.”

For more information on intellectual property, visit IP Australia’s website www.ipaustralia.gov.au.

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