

From: Mount Pleasant Baptist Church
Sent: Thursday, 29 July 1999 3:44 PM
To: ipcr.secretariat@ag.gov.au
Subject: Submission

Ms Kay Collins,
Secretary, Intellectual Property and Competition Review Committee,
Barton ACT

Dear Ms Collins,

Please find below a submission for the Public Inquiry: Intellectual Property and Competition Review Committee. Could I request that you acknowledge receipt of this submission? Thank you.

I have also studied the copyright law and would suggest no changes.

Yours faithfully,

(Dr.) Ross M. Woods,

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Intellectual Property

At present, the cost of developing a new product to patent stage is extremely prohibitive for small business, and I suspect that most new ideas do not get developed and patented. Even ideas with great potential die premature deaths, and this is obviously unhealthy for Australian small business.

It would be most helpful if there were a class of registered intellectual property, whereby someone with a new product idea could register it, to be called Registered Intellectual Property (or some other useful term).

The registration need only require the lodgment at a government office of a full description or plan and a statutory declaration by the proponent that the idea was created and developed entirely by the proponent or proponents. Only a small fee need be payable. The proponent would then receive a validated copy with a unique lodgment number. The idea need not be kept secret as if it were unpatented, and it would then become tradable intellectual property.

It is possible to have a simple database and search engine of patented products, perhaps available on the Internet, and Registered Intellectual Property, and part of the registration process could be a requirement to ensure that the concept is not already on the database. The process would be facilitated by requiring new registrants to list in their application key descriptor words to be entered on the database. (This kind of procedure already happens with the registration of new training programmes by checking with the National Training Information Service, the website of which is part of the Australian National Training Authority website.) Such a database would also stimulate new ideas.

You might also find it advisable to include provisions for:

1. contiguous or interdependent ideas, especially when they are owned by separate parties,
2. expiry of registration,
3. extension of registration if the Committee identified certain

circumstances where that would be necessary, and,
4. avenues to convert registration into full patent.

There needs to be simple, inexpensive court systems in place that are accessible to small businesses without incurring large legal fees. These courts are clearly necessary to protect owners of property, to impose penalties on offenders, and to rule on disputes, and to develop a body of experience and precedents in handling possible abuses of the system. Appropriate models are the Local Court, the Small Claims Tribunal, and pretrial mediation.

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