



... making sense of your genes

# Human Genetics Society of Australasia

ARBN 076 130 937 (Incorporated Under the Associations Incorporation Act)  
The liability of members is limited

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Dear Mr Moore

Re: Patentable Subject Matter

Thankyou for the opportunity to provide feedback on the proposed amendments to the *Patents Act 1990* which includes introducing an Objects Clause and an exclusion from patentability.

The Human Genetics Society of Australasia (HGSA) has a position statement on patenting of human gene sequences <http://www.hgsa.org.au/resources/hgsa-policies-and-position-statements/hgsa-policies>

With reference to the preference for the Objects Clause we prefer Option 2 on the basis that the HGSA considers the wellbeing of Australians paramount when considering patents, specifically the human genome and that Option opens with this.

The HGSA also supports the explicit exclusion clause: *exclusion for an invention that commercial exploitation which would be wholly offensive to the ordinary reasonable and fully informed member of the Australian public.*

This is in keeping with the Societies position statement, specifically that commercialisation may have a negative impact on families who suffer or are at risk of genetic disease, as well as professionals in the public sector who work in the area of human genetics.

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Yours sincerely

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