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7 August 2019

Senate Standing Committees on Economics
PO Box 6100
Parliament House
Canberra ACT 2600

Attention: Committee Secretariat

Re: Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Bill 2019

I am an owner of CTA Australia Pty Ltd, a small to medium enterprise, the head office of which is based in Melbourne. We design and manufacture tactile products which assist the vision impaired in wayfinding, and have, over several years, invested significantly to establish ourselves as a leading designer, supplier and installer of such products, which include, in particular, tactile ground surface indicators. A significant proportion of our investment has been in intellectual property, including patents, the majority of which are Australian patents and several of which are innovation patents that have been certified.

I have become aware of the Government's plans to abolish the innovation patent and am very concerned about this proposal.

The technology area in which our products fall can, generally speaking, be described as relatively "simple" in a technical sense. This being said, our products must be manufactured to meet stringent standards, including Australian/New Zealand Standard AS1428, and national building codes. The apparent simplicity in some of our most important innovations belies the intellectual effort and financial investment behind those innovations. There have now been several instances in which competitors of ours have sought to benefit unfairly from these innovations by copying our products. Innovation patent protection has been crucial in enabling us to curb such copying.

We have made considerable improvements in tactile guidance products, which throughout Australia have not only significantly benefitted our customers but also improved safety for the vision impaired. Our principal incentive for continuing this work is the innovation patent system. If the innovation patent system is abolished and there is no alternative system put into place under which we can confidently protect incremental innovations, then it is very likely that we would lose a number of our employees. The standard patent system is not an adequate substitute because it does not allow us to confidently protect our commercially significant incremental inventions. Also, the standard patent system is far more expensive and time consuming than the innovation patent system.

Accordingly, if the Government wants to support Australian business innovation, they should reconsider the removal of the innovation patent system.

If the Committee would like further information regarding the importance of the innovation patent to my business, I would be happy to provide it.

Your sincerely,

A large black rectangular redaction box covering the signature area of the letter.

Daniel DeDomenico

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