

Senate Standing Committee on Economics
ANSWERS TO QUESTIONS ON NOTICE
Innovation, Industry, Science and Research Portfolio
Budget Estimates Hearing 2009-10
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AGENCY/DEPARTMENT: INNOVATION, INDUSTRY, SCIENCE AND RESEARCH

TOPIC: MAINTAINING IP WITHIN AUSTRALIA

REFERENCE: Written Question – Senator Williams

QUESTION No.: BI-108

What is the Federal Government doing to ensure that we maintain the IP within Australia?

ANSWER

The intellectual property involved could include both patentable material and copyright material.

The Australian Government provides strong legislative protection in both cases. Inventions which satisfy the requirements for patentability can be protected for 20 years under the *Patents Act 1990*.

Patents are granted by a government agency, IP Australia, upon application by the inventor. There is no need to register copyright, which is protected under the *Copyright Act 1968*. It is recognised that IP protection is integral to business planning, marketing strategy planning and product and/or service development. In either case, it is a matter for the IP owner to decide how best to derive commercial benefit from their IP.