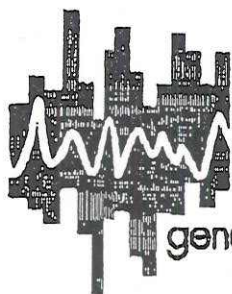


*Tabled by Sen Hefferman
at hearing 19/3/09 (i)***genetic technologies**

May 22nd, 2003

The Manager
 Company Announcements Office
 Australian Stock Exchange Limited
 Exchange Centre
 20 Bridge Street
 Sydney NSW 2000

Dear Sir,

Genetic Susceptibility Testing – A Third Progress Report

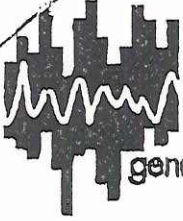
Genetic Technologies Limited (“GTG”), has previously announced its commitment to bring comprehensive genetic susceptibility testing to Australia, including susceptibility testing for breast cancer, ovarian cancer, bowel cancer and melanoma and progressively, for other non-cancerous genetic diseases.

In October 2002, GTG announced a strategic alliance with Myriad Genetics of USA which will enable GTG to bring comprehensive cancer susceptibility testing to Australia, New Zealand and South East Asia.

GTG also announced that the intellectual property rights it had obtained from Myriad for breast cancer susceptibility testing will not be enforced by GTG against other service providers in Australia and New Zealand - and were a gift from GTG to the people of Australia and New Zealand.

Last month we reported that Professor Deon Venter a specialist pathologist and a Fellow of the Royal College of Pathologists of Australia, would oversee the establishment and operation of the new genetic susceptibility testing program at GTG. Professor Venter is also Head of the Cancer Functional Genomics Laboratory at the Murdoch Children’s Research Institute in Melbourne, and Head of the Cancer Epidemiology Program, Department of Pathology at the University of Melbourne.

Genetic Technologies Limited • Website: www.gtg.com.au • Email: info@gtg.com.au ABN 17 008 212 328
 Registered Office and Main Laboratory • 60-66 Hanover Street Fitzroy VIC 3085 Australia •
 Postal Address P.O. Box 116 Fitzroy Victoria 3085 Australia
 Phone 61 3 9415 1135 • Fax 61 3 9417 2987
 Corporate Office • Level 9, 185 Macquarie Street Sydney NSW 2000 Australia
 Phone 61 2 9233 5015 • Fax 61 2 9232 5313



genetic technologies



7th July, 2008

[Redacted recipient address]

to all EEO's

N Ash
CS : : +
x/x

RE: Infringement of Exclusive Rights

I am writing to notify you that Genetic Technologies Limited (Genetic Technologies) is seeking to enforce its intellectual property rights with regard to offering diagnostic testing of the *BRCA1* and *BRCA2* genes for suspected cases of hereditary breast and ovarian cancer syndrome in Australia and New Zealand.

In the interests of avoiding costly and time consuming litigation, Genetic Technologies proposes a commercial solution whereby Genetic Technologies will perform all of Peter MacCallum Cancer Institute's future *BRCA1* and *BRCA2* testing requirements as settlement of all Peter MacCallum Cancer Institute's past and prospective infringement of our exclusive patent rights.

In October 2002, Genetic Technologies entered into a commercial agreement with Myriad Genetics, Inc., for an exclusive license to offer diagnostic testing of the *BRCA1* and *BRCA2* genes in Australia and New Zealand. Genetic Technologies has invested millions of dollars to both procure and to be in a position to exploit these exclusive rights. As a consequence, the dedicated and professional team at Genetic Technologies has established a world-class, rapid, high through-put, NATA / RCPA accredited molecular diagnostic laboratory.

As an organization working in the field of medical research and diagnostic testing, I am sure you would appreciate that the effective protection of intellectual property rights is fundamental to the continued investment in, and commercialisation of, medical research and technology in Australia. As a substantial investor in Australian biomedical research and technology, Genetic Technologies is greatly concerned by the ongoing infringement of its intellectual property rights. This situation is untenable and unacceptable to Genetic Technologies and our shareholders.

Genetic Technologies is the exclusive licensee from Myriad Genetics, Inc., of Australian Patents, including Patents No. 686004, 691958, 691331, and 773601 (the Patents), making us the exclusive holder of the right to offer diagnostic testing of the *BRCA1* and *BRCA2* genes in Australia. We are aware that Peter MacCallum Cancer Institute is:

- (a) using the methods and compositions claimed in the Patents; and
- (b) selling the results generated from using such methods and compositions.

We hereby request that Peter MacCallum Cancer Institute, within 7 days of the date of this letter, provide confirmation in writing that it agrees to cease using the Patents and is willing to refer the performance of all *BRCA1* and *BRCA2* testing to Genetic Technologies.

If Peter MacCallum Cancer Institute is prepared to provide in writing the above undertaking within the specified timeframes, we confirm that:

- (a) Genetic Technologies will not seek to issue proceedings against Peter MacCallum Cancer Institute;
- (b) Genetic Technologies will refrain from seeking any remedies in respect of any infringement that has occurred until the date of this letter; and
- (c) Genetic Technologies will offer reasonable transition arrangements necessary to ensure that there is no disruption to services. Specifically, under such transition arrangements, we would suggest that Peter MacCallum Cancer Institute complete the testing of samples already in process and that future samples be sent to Genetic Technologies; and
- (d) Genetic Technologies will undertake to perform the *BRCA1* and *BRCA2* testing to the same high quality and rapid turnaround time standards that it currently provides to its existing familial cancer clinic customers.

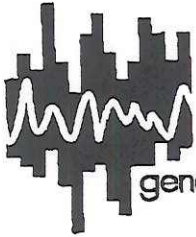
However, in the event that Peter MacCallum Cancer Institute is not prepared to provide the requested undertaking in writing by Monday, the 14th of July, 2008, Genetic Technologies will then immediately proceed with legal action without further notice. Our lawyers have prepared a detailed Statement of Claim and are ready to file an Application with the Federal Court if necessary.

In summary, Genetic Technologies wishes to resolve the issues relating to its intellectual property amicably and we hope that you will constructively engage in discussions with us to resolve this matter on the basis that we propose above.

I will call you tomorrow, Tuesday July 8, 2008, to discuss this matter with you directly.

Yours sincerely,

Michael B Ohanessian
 Chief Executive Officer
 Genetic Technologies Limited



genetic technologies

29 October 2008

Mr David Swan
Executive Director, Operations
Department of Health
Level 2, CitiCentre
Adelaide SA 5000

VIA FACSIMILE: 08 82264111 84636162

Dear Mr Swan

BRCA1 and BRCA2 intellectual property rights

We refer to our letter dated 29 September 2008.

In light of the ACCC's ongoing investigation of this matter, and having regard to the delay already experienced in the commencement of meaningful discussions between us, we wish to advise you of the following:

1. Genetic Technologies Limited (GTG) will not prior to the completion of the ACCC investigation seek to enforce its intellectual property rights in relation to Patents Nos. 686004, 691958, 691331 and 773601 (the Patents) as against your laboratory; and
2. GTG has decided to extend the deadline for reaching a firm agreement on the necessary transitional arrangements with your laboratory until the completion of the ACCC investigation.

At this stage, we do not anticipate that the ACCC will complete its investigation until February 2009.

We envisage that this additional period will allow all relevant stakeholders to engage in a constructive dialogue with a view to resolution of the issue. We reiterate that we see no reason why this dialogue should not be progressed pending the outcome of the ACCC's investigation.

Yours sincerely

Michael B Ohanessian
Chief Executive Officer
Genetic Technologies Limited