

The Secretary
Senate Community Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

As an individual I wish to comment on the Senate Enquiry into Gene Patents. There should not be an opportunity to grant patents over human and microbial genes and non coding sequences, proteins and their derivatives, including those materials in an isolated form. The *Patents Act 1990* should be amended so that the granting of patent monopolies over such materials is prohibited.

Reasons include:

These items are not inventions – they are discoveries.

Patenting of these materials will create monopolies which will limit treatments and have unimagined affects on the health and well being of future generations.

They should be freely available in the public domain. Granting of patents would limit future research, strangle free enterprise and stifle invention.

Both social and economic costs would increase unnecessarily due to those companies taking out the patents on these materials becoming dominating influences.

As recommended by Cancer research institutions, for those patents already established, consideration should be given to the establishment of a patents court or a similar review body with representation from a range of stakeholders in addition to those with legal and commercial interests.

I am aware that the closing date for submission was in March 2009 but I believe late submissions are being accepted and I hope you will consider these comments as such.

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