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Patent duration too short in Australia: AusBiotech

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Patent duration too short in Australia, AusBiotech tells govt



Singapore: AusBiotech, the bioscience industry organization of Australia, has told the government that patent length in the country is too short. The submission was made by AusBiotech in response to the Pharmaceutical Patents Review's Background and Suggested Issues Paper (November 2012).

In response to the review of the "appropriateness of the extension arrangements for pharmaceutical patents", AusBiotech has suggested that incentives are being eroded over time, thereby undermining innovation of bio-pharmaceuticals in Australia. It added that there is a good case for extending intellectual property protections to re-balance the system.

A statement on the website says "the erosion of incentives to develop and patent innovative medicines in Australia is caused by a raft of forces, including the trend towards medicines that target smaller patient groups (markets), increasing regulatory and reimbursement time, costs, complexity and uncertainty, increased cost and risks of clinical trials".

The submission also notes that new therapies, such as biologics, demand more time and investment due to the level of complexity, and the data exclusivity period has not been reviewed in line with the industry-wide shift from small to large molecules.

According to AusBiotech, if Australia is serious about becoming a knowledge-based economy, the case is strong for extended and increased periods of exclusive market access. A strong and reliable intellectual property and patent system is a standard requirement to attract foreign and domestic investment, it says. For many biotechnology companies, patents are their only asset, from which they attract the investment necessary to develop biopharmaceutical products.