

The Australian Centre for Intellectual Property in Agriculture

Annual Report 2001

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1. STRATEGIC DIRECTION

The key priority for ACIPA in 2001 was the appointment of staff, the planning and development of activities, the establishment of the research programs, the establishment of the seminar series and the ACIPA annual conferences.

The strategic direction that the Centre will take for 2002 are as follows:

- Consolidate existing research strengths
- Consolidate seminars and conferences
- Appoint co-ordinator for training programs
- Initiate postgraduate program
- Appointment of further Research Staff
- Establishment of Policy Workshops

2. CENTRE STRUCTURE

ACIPA is based at the ANU in Canberra and at Griffith University in Brisbane. The Director of the Centre, Professor Brad Sherman, is based at Griffith University. Centre activities are overseen by an Advisory Board, whose membership consists:

- Ms Anne Trimmer (Chair), Partner, Minter Ellison Canberra
- Professor Brad Sherman, Director, ACIPA
- Emeritus Professor John Lovett, Managing Director, Grains Research & Development Corporation
- Professor Michael Coper, Dean, Faculty of Law ANU
- Professor John Hearn, Deputy Vice Chancellor (Research), formally Director, RSBS ANU
- Dr Ted Maddess, RSBS ANU
- Dr Christopher Branson, Agriculture, Forestry & Fisheries - Australia

The Centre is funded by the Grains Research and Development Corporation (GRDC), the Commonwealth Government, the Department of State Development (Queensland State Government), the ANU Vice Chancellor's Endowment for Excellence, and Griffith University.

ACIPA has close links with the ANU's Research School of Biological Sciences (RSBS), the Centre for Media and Cultural Policy (Griffith University), IP Australia, the Plant Breeders' Rights Office and the Department of Foreign Affairs and Trade.

3. CENTRE STAFF

The Centre currently has four full-time staff: Professor Brad Sherman (Director), Antony Taubman (Senior Lecturer), Dr Matthew Rimmer (Lecturer) and Christopher Newton (Administrator). ACIPA also has administrative support at Griffith University (Carol Ballard and Allan Eedy). Robert Burrell (currently at Kings College London) will take up a full time position in February 2002, and three new Research Fellows will be appointed in 2002.

Matthew Rimmer

Matthew Rimmer was appointed a lecturer at ACIPA in February 2001. Matthew co-ordinates the ACIPA seminar series and is co-ordinator of post-graduate education. He is the Program leader for plant breeder's rights, and public sector research and intellectual property. Matthew obtained a Bachelor of Arts (Hons) and Bachelor of Law (Hons) at the Australian National University. He was recently awarded a doctorate for his thesis on copyright law at the School of Law, University of New South Wales. Articles from this work have been published in the Media and Arts Law Review, Media International Australia, the European Intellectual Property Review, the Australian Intellectual Property Journal, and the Griffith Law Review. He also was a lecturer in Aspects of Intellectual Property at the University of Western Sydney Nepean.

Brad Sherman

Brad Sherman is Director of ACIPA and Professor of Law at Griffith University. Previously, he has worked at the London School of Economics and at Cambridge University. Recent publications include *Intellectual Property Law* (Oxford University Press: 2001) and *The Making of Modern Intellectual Property Law* (Cambridge University Press: 1999).

Antony Taubman

Antony Taubman took up a position as Senior Lecturer in ACIPA in May 2001. Antony is Program Leader of the

project on international intellectual property law and is organiser of ACIPA conferences.

Antony was recently Director of the International Intellectual Property Section at the Department of Foreign Affairs & Trade (1998-2001), and was previously Senior Advisor (Strategic Planning and Policy Development) to the Director General, and Senior Program Officer (Asia-Pacific Region) for the World Intellectual Property Organisation (1995-1998). He was Australian representative to the Preparatory Commission for the Organisation for the Prohibition of Chemical at the Hague, (1993-95), Deputy Head of Mission, Australian Embassy Tehran (1991-93), and DFAT policy officer from 1988-90. He was a Registered Patent and Trade Mark Attorney in private practice from 1985-88. Antony has presented numerous policy papers on intellectual property issues, has prepared submissions for WTO and TRIPS disputes, and has represented Australia in the WTO TRIPS Council.

4. RESEARCH

In order to consolidate existing strengths and to help shape future research activities, ACIPA has established a number of research programs. As well as being the focus for the future research activities of the Centre these programs will be used to direct training programs, postgraduate supervision, and consultancy activities of the Centre.

RESEARCH PROGRAMS

Gene Patents

There has been vigorous public debate in Europe and the US over the patenting of genes and gene sequences. The Human Genome Project has highlighted some of the issues surrounding the commercialisation of knowledge gained through such applied research. In particular concerns have been expressed that patent monopolies and the costs associated with licensing fees may reduce access to genetic testing. This project will look at the important issue of intellectual property protection for genetic material. As well as looking at the status of patent protection for gene patenting in Australia, the project will look at issues raised by Myriad Genetics gene patents in relation to breast cancer (BRCA1 and BRCA2); which have fundamental ramifications for the delivery of health care in Australia. It will also look at the lessons to be drawn from the opposition proceedings underway in Europe challenging the validity of the patents such as those issued to Myriad Genetics.

Plant Breeder's Rights

This project will investigate the interaction between plant breeder's rights and other areas of intellectual property: such as patent law, trade mark law, and confidential information. It will also investigate the relationship between the UPOV Convention, TRIPs, the Convention on Biological Diversity, and the FAO Undertaking on Plant Genetic Resources. The project will examine the unique features of the system of plant breeder's rights and consider the

role played by the doctrine of essential derivation in drawing a line between traditional agriculture and biotechnology. It will evaluate the exceptions provided under the system of plant breeder's rights - such as the farmer's privilege, and the guarantees of reasonable public access to plant varieties. The project will also consider the commercialisation of plant breeder's rights. It will examine the history of negotiations between public research organisations and private agricultural companies over the ownership and exploitation of rights. It will also focus upon the role played by seed banks and herbariums as natural libraries of plant varieties.

Public Sector Research and Intellectual Property

In recent years, increased attention has been given to the nature and role that intellectual property law plays in relation to publicly funded research. This has given rise to questions about the extent to which such institutions should protect research via intellectual property, and the impact that this may have upon the research culture. Similarly, questions have arisen about the best way for institutions to proceed when they wish to place research in the public domain. For the most part, these discussions have taken place in a research vacuum. This project, which attempts to remedy this problem, is divided into three stages:

- 1) The project will begin with a review of existing literature
- 2) The project team will undertake an historical review of IP policies in public sector research institutes such as Co-Operative Research Centres, the Industry Research and Development Board, the Rural Research and Development Corporations, the National Health and Medical Research Council, the Australian Research Council, and Universities.
- 3) The project team will engage in a number of case studies that examine the impact that IP has upon research practice. It will also look at the impact (if any) that IP management policies have.

Biodiscovery and access to genetic resources

This project will consider the interaction between currently recognised intellectual property rights and the conservation and exploitation of genetic resources, both in situ and in germplasm collections. This involves reviewing the international legal mechanisms that have been developed (notably in the FAO and the CBD), and ongoing negotiations concerning their development and implementation, as well as policy development undertaken by other agencies such as WIPO and UNESCO concerning intellectual property rights, access to genetic resources and traditional knowledge. It will consider the policy options at a domestic level, and the implications for resource management, as well as the practical legal tools that are available to custodians or collections of genetic resources.

International Intellectual Property

This project will concentrate on the legal and policy consequences of intellectual property rights forming part of the international trade rules system, through the incorporation of the TRIPS Agreement within the World Trade Organization package of agreements. It will consider the conception of intellectual property in the international trading environment, its role in multilateral and regional agreements on trade and related matters, the interaction between TRIPS and other international legal instruments, and the development of TRIPS dispute-settlement jurisprudence.

Access to Scientific Information

This project will examine the impact of intellectual property law upon the flow and exchange of scientific information. More specifically, it will consider the impact that patent law, copyright law, contract and database protection have upon scientific research. The project team will draw upon history of the scientific publishing as well as recent events such as the public library of science and digital archives as a way of ensuring public access to scientific information.

Biological Property

This project takes as its starting point the belief that the history of intellectual property law can teach us a lot about many of the issues that confronts contemporary legal system. The project will explore the impetus for, and the problems encountered when intellectual property law first began to consider whether protection should be extended to living matter. The scope of the project will include case studies on the US *Plant Patent Act* of 1930, *UPOV*, and the process by which plants were protected under Australian law.

STAFF PUBLICATIONS

Matthew Rimmer

- 'International Copyright: A Book Review' (2001) 23 *European Intellectual Property Review* 601.
- 'Respect the Code or the Dog Gets It: Copyright Law and Technological Measures. A Case Note' (2001) *Incite*, ALIA Journal 31.
- 'Bangarra Dance Theatre: Copyright Law And Indigenous Culture' (2001) 9 *Griffith Law Review* 275.
- 'Shine: Copyright Law And Film' (2001) 12:3 *Australian Intellectual Property Journal* 129.
- 'Mauve: How One Man Invented a Colour that Changed the World' (2001) 23 *European Intellectual Property Review* 352.
- 'Napster: Infinite Digital Jukebox Or Pirate Bazaar' (2001) 98 *Media International Australia incorporating Culture and Policy* 27.
- 'Submission to the Copyright Law Reform Committee: Copyright Law and Contracts', ALIA Copyright and Intellectual Property Advisory Group, August 2001.
- 'The Artist Is A Thief: A Book Review' (2001) *Muse Magazine* <http://www.muse-arts.com.au/nov01/reviews/bookreview.html>.

Brad Sherman

- *Intellectual Property Law* (Oxford University Press, Oxford: 2001) (with L. Bently)
- 'Digital Property and the Digital Commons' in *Intellectual Property in the Digital Age* (ed) C. Heath and A. Kamperman Sanders (2001, Kluwer)
- 'Great Britain and the Signing of the Berne Convention in 1886' (2001) 48 *Journal of the Copyright Society of USA* 311 (with L. Bently)
- 'Intellectual Property and Indigenous Culture' (2001) 9 *Griffith Law Review* 201 (with B. Goldsmith)
- 'Patents and the Human Genome', in *The Encyclopedia of the Human Genome* (MacMillan) forthcoming (with L. Bently)
- 'Appropriating the Postmodern', in *Dear Images: Art, Copyright and Culture* (ed) Daniel McClean and Karsten Schubert forthcoming

Antony Taubman

- 'Indonesia dan Kerangka Kerja HAKI internasional' in T. Lindsey, S. Butt, T. S. Utomo (eds) *Pengantar Hukum Hak kekayaan Intelektual Indonesia*, (Asian law Group/P T Alumni, Bandung, 2001)
- 'Paten dan Rekayasa Genetika, Desain Industri' in T. Lindsey, S. Butt, T. S. Utomo (eds) *Pengantar Hukum Hak kekayaan Intelektual Indonesia* (Asian law Group/P T Alumni, Bandung, 2001)
- 'Varietas Tanaman dan Sirkuit Terpadu' in T. Lindsey, S. Butt, T. S. Utomo (eds) *Pengantar Hukum Hak kekayaan Intelektual Indonesia* (PT Alumni, Bandung, 2001)
- 'Recent cases from Australia' in *Intellectual Property in Asia and the Pacific*, (WIPO, Geneva, 2001)
- *Survey of the Notification and Review of National Intellectual Property Laws under the WTO TRIPS Agreement* (www.dfat.gov.au/trips)
- *Intellectual Property and Biotechnology: A Training Handbook*, (principal author), DFAT, Canberra (forthcoming)

5. TEACHING AND SUPERVISION

During 2001, ACIPA planned and had approved a specialist postgraduate program in intellectual property law. This consists of a Graduate Diploma and Masters Program for both Law and non-law graduates. The program will commence in May 2002.

The intellectual property law program reflects the growing need for theoretical understanding and practical skills in this area, on the part of practitioners, policymakers, the business and research communities, and those interested in the interaction between legal systems and broader public policy issues. Accordingly, the program will couple legal principles and analysis with insights into how IP rights are administered, exploited and managed in practice, and sets these in the context of the broader policy debates that have bearing on intellectual property.

The following subjects will be taught under the ACIPA intellectual property law program:

Principles of Intellectual Property Law

The course will examine the core principles relating to Confidential Information, Copyright, Patents, Designs, Trade Marks, and Passing off and section 52 of the *Trade Practices Act*. It will consider the ways in which each of these areas of intellectual property interact, and briefly consider the issues they generate in protecting indigenous knowledge and culture, computer software and the Internet, biotechnology and international trade.

Patent law and Plant Breeder's Rights

This course will consider the application of patent law to new subject matter – such as stem cell inventions, genetic sequences, software, electronic commerce and other business methods. It will also examine the legitimate scope of biotechnology patents, the operation of exclusions on patentable subject matter, the implications for bioethics, the relationship between patents and plant breeder's rights, and questions of access to genetic resources.

Copyright Law and Related Rights

This unit will examine copyright law from a policy perspective, ranging from current debates over simplification of copyright law and the scope of the public domain to the protection of emerging digital technologies and new forms of cultural production.

International Intellectual Property Law: Issues and Practice

This unit will examine intellectual property law from an international perspective, ranging from current international policy debates on biotechnology, genetic resources and electronic commerce, to international dispute settlement under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights. It will cover the principal international institutions dealing with substantive IP law, current international debates, and the practice of WTO dispute settlement.

Trade Mark Law and Related Rights

This subject covers trade mark law, the common law action of passing off, the Trade Practices Act, and sui generis forms of protection – such as geographical indications, Olympic insignia, and authenticity marks.

Intellectual Property Management and Innovation

This unit will consider the legal and practical issues raised in the management of intellectual property rights, from the point of view of both producers and users of IP-protected technologies.

Selected Topics in Intellectual Property

This special elective will allow for the in-depth analysis of a particular topic in intellectual property each year. It will focus upon a subject matter of particular significance to intellectual property – such as biotechnology, digital technology, public sector research, indigenous cultural property, competition law and philosophy. The syllabus

of this course will depend upon the selected topics in intellectual property chosen for examination by the convenor.

Research Unit

A research paper of 15,000 words in length on a topic within the Intellectual Property Law specialisation. The topic must be approved by the Intellectual Property Law coordinator and the appointed supervisor in consultation with the candidate. A more detailed guideline is available in the Faculty Office.

Supervision

ACIPA has been involved in the supervision of PhD Candidates, Honours students, and Summer Research scholars. These include:

- Cate Banks, A history of Moral Rights
- Ben Clanchy, An Instrument in Search of Principle: TRIPS and the requirement of adequate remuneration
- Christine Henry, Intellectual Property and Bioprospecting
- Claire Hussin, Is There a Better Way Forward: Reconciling Claims to Traditional Agricultural Knowledge with the Current International IP System
- Courtney Macintosh, Emerging Technologies and the Berne Convention: WIPO Copyright Treaty in an Historical Perspective
- Fleur Davis, Copyright Law and Film Composers
- Foezullah Dewan, Developing Countries' Access to Pharmaceuticals
- Janet Hope, Patents and Scientific Research
- Jane Ogge, Geographical Indications in International Trade Negotiations
- Harry Saddler, Intellectual Property Rights and Traditional Crop Varieties

6. TRAINING

Over the course of 2001, ACIPA developed and delivered a number of training courses. ACIPA also began to develop a suite of training modules that will be finalised over the next two years.

Training Courses

- *Fundamentals of Intellectual Property, and Management and Commercialisation of Intellectual Property*, Meat & Livestock Australia, 20 - 23 October 2000.
- *Introduction to Intellectual Property*, Department of Defence 21 February 2001.
- *Introduction to Patent Law*, Defence Science and Technology Organisation, Canberra, 12 April 2001.
- *Introduction to Intellectual Property Law*, Department of Defence, Canberra, 27 September 2001.

Training Modules

As part of its long-term training plans, ACIPA has set in place a program to develop a series training programs and modules on various aspects of intellectual property. The modules aim to raise awareness and increase understanding about intellectual property. More specifically, the training modules will give the target groups the information and practical skills they require to evaluate the potential of the intellectual property system to realise the benefits of scientific and technological development, and to promote better access to those benefits. The modules will be made available in both paper and digital formats. The following modules will be produced:

Overview of intellectual property

- Why do we have an intellectual property system? What are its main elements?
- What does this mean for members of the public and researchers? What opportunities and obstacles does IP present ?

Plant Breeder's Rights

- What is a plant variety right, what makes it uniquely suited to agriculture and horticulture?
- How does the system operate in Australia?
- A commentary on the *Plant Breeder's Rights Act 1994 (Cth)*, and a kit on the management of plant breeder's rights.

Patents and biotechnology

- What is a patent, how has it come to cover biotechnology, and what are the practical implications of this for relevant industries?
- What kind of innovations are eligible for patents, and how is the patent system used to facilitate commercialisation of a new technology?
- Case studies of patents for agricultural biotechnology

Marking a distinctive market profile

- The role of intellectual property (especially trade marks and geographical indication of origin) in introducing new technologies to the marketplace and in creating a distinctive, attractive presence in the marketplace
- Case studies of new products and intellectual property rights being harnessed to create successful new products

Managing intellectual property

- Finding and licensing solutions to technological problems
- The use of the patent system to find information about new technologies and monitor their development
- The practicalities of licensing and negotiating new technologies, including new crop varieties and agricultural technologies

7. CONFERENCES

ACIPA organised two conferences in 2001. The first conference, *Copyright: The Challenges of New and Old Media*, which was held in Brisbane on Friday 9 February 2001, looked at the challenges that new technologies played for copyright law. The second conference, *Intellectual Property in Agriculture: The International Policy Agenda*, was held in Canberra on 23rd November. The conference examined international issues in intellectual property in the wake of the WTO Ministerial Conference at Doha. International experts, Australian analysts and industry representatives explored the policy implications of such issues as plant patenting and plant variety rights, access to genetic resources, and geographical indications.

Copyright: The Challenges of New and Old Media (9 February 2001)

- Professor Bernt Hugenholtz (University of Amsterdam): *Sleeping with the Enemy: Copyright Contracts in a Digital Environment*
- Nick Smith (National Library): *New Media, New Control: The Expansion of Copyright in the Digital Environment*
- Carolyn Hough (IP Branch, Attorney-General's Department): *Copyright Amendment Digital Agenda Act: The New Retransmission Scheme*
- John Edquist (DOCITA): *The New Moral Rights Legislation*
- Richard Harris (Screen Producers Association): *Guess Who's Coming to Dinner: Directors to get a Place at the Rights Table*
- Simon Cordina (Federation of Australian Commercial Television): *The Directors' Copyright Debate*
- Professor Jane Ginsburg (Columbia University, New York): *Napster: A Cautionary Tale*
- Professor Sam Ricketson (Melbourne University): *Napster: An Australian Perspective*

Intellectual Property in Agriculture: The International Policy Agenda (23 November 2001).

- Dr Robin Batterham, Chief Scientist, Commonwealth of Australia, *The Revolution in Knowledge*
- Mr Bernie Wonder, Deputy Secretary, Department of Agriculture, Fisheries and Forestry – Australia, *Agriculture, intellectual property and future prosperity: Meeting the Policy Challenges*
- Dr Kate Murashige, Partner of Morrison & Foerster LLP, San Diego, *Current Issues in Biotechnology Patenting: the United States*
- Dr Margaret Llewelyn, Law School, Sheffield University, *Patents, Breeders Rights and Plant Innovations - the European Perspective*
- Dr Ian Heath, (Director General, IP Australia), *Emerging International Issues in IP*
- Allen McKinnon, (Assistant Secretary, Agriculture Trade Branch, Department of Foreign Affairs & Trade) *Agriculture and IP Issues in the WTO*
- Dr John H Skerritt, (Australian Centre for International Agricultural Research) *Promoting the Benefits of Intellectual Property Management From Agricultural Research in Developing Countries*
- Antony Taubman, (Senior Lecturer, ACIPA) *Cereal offenders? Owning, Controlling and Exploiting Biological Resources*
- Bruce Drinkwater, (Consultant, Southcorp) *Wine Geographical Indications and International Negotiations*
- Cheryl McCaffery, (Principal, EclIPse IP Management) *Strategic Issues in Managing Biotechnology IP*
- Lindsay Adler, Business Manager, (CSIRO Plant Industry) *Managing IP and Public Interest Research.*

8. SEMINARS

In 2001, ACIPA organised 16 seminars in Canberra and Brisbane. Over 500 people attended the various seminars during the course of the year.

- Professor Bernt Hugenholtz (University of Amsterdam), *European Database Protection Directive*, 22 February 2001.
- Vivian Thom, (Commissioner of Patents, IP Australia), and Daniel Stewart (Faculty of Law ANU), *The New Innovation Patent*, 7 May 2001
- Professor Sam Murumba, (Brooklyn Law School USA), *Private Sector, Public Interests and International Intellectual Property Regimes*, 31 May 2001.
- Dr. Charles Lawson (RSBS), *Patenting Genetic Sequences*, Thursday 28 June 2001.
- Professor Brad Sherman (ACIPA) *Biological Inventions and the Problem of Passive Infringement*, 16 July 2001
- Dr David Mercer, (Science Technology and Society Program, University of Wollongong) *Creating (Public) Science in the Noah's Ark Case*, 26 July 2001.
- Dr Matthew Rimmer (ACIPA) *Genentech: A Blueprint for the Biotechnology Industry* 2 August 2001
- Dr Charles Lawson (Research School of Biological Sciences) *Patenting Genetic Sequences* 6 August 2001
- Professor Brad Sherman (ACIPA) *Schmieser v Monsanto: Lessons for the Future*, 5 September 2001
- Sandra Henderson (DFAT/Griffith University) *Sui generis Intellectual Property Regimes: Lessons from Plant Breeders' Rights and Scientific Discoveries* 6 September 2001
- Andrew Alexandra (Centre for Applied Philosophy, University of Melbourne) *The Plant Breeders' Rights Project*, 6 September 2001.
- Christine Morris (Griffith University), *Cloning*, and Alex Bruce (Faculty of Law, ANU), *Gunfights at the ACGT Corral*, 20 September 2001
- Dr Matthew Rimmer, (ACIPA) *Beyond Blue Gene: Intellectual Property and Bioinformatics*, 1 October 2001
- Antony Taubman, *Compunctious visitings of nature: access to Genetic Resources*, 4 October 2001
- Dr Margaret Llewelyn, (Director, Law and Biotechnology Centre, University of Sheffield) *Patents and the Human Genome: Hello Dolly to Chips with Everything*, 21 November 2001
- Dr Kathy Bowrey (Law School, University of New South Wales) *Geographical Indications*, 6 December 2001
- Jane Anderson, (University of New South Wales) *Indigenous Cultural Property and Governmentality*, 6 December 2001
- Antony Taubman (ACIPA) *Location, Location, Location: Geographical Indications and World Trade*, 10 December 2001

9. VISITORS

Professor Bernt Hugenholtz, Professor of Information Law and Copyright Law at the University of Amsterdam, was visiting fellow to ACIPA from 9 to 22 February 2001. He presented a paper at the ACIPA Copyright conference on 9 February and presented a seminar on *The European Database Directive* in Canberra on 22 February.

Professor Sam Murumba, Professor of Law at Brooklyn Law School, visited the Centre during May. Sam gave a seminar entitled '*Private Sector, Public Interests and International Intellectual Property Regimes*' on the 31 May 2001. He discussed the interaction between intellectual property and human rights law.

Dr Margaret Llewelyn, Director, Law and Biotechnology Centre, University of Sheffield visited the Centre from 15 to 30 November. During her visit to the Centre, Margaret gave a seminar, '*Patents and the Human Genome: From Hello Dolly to Chips with Everything*' on 21 November 2001 and also delivered a keynote address on *Patents, breeders rights and plant innovations: the European perspective* at the ACIPA Conference on 23 November.

Dr Kate Murashige, Partner of Morrison & Forerster LL (San Diego), visited the Centre from 20 to 25 November. During her visit to the Centre, Kate delivered a keynote address on *Current issues in biotechnology patenting - the United States perspective* at the ACIPA Conference on 23 November.

10. EXTERNAL RELATIONS

MEDIA AND PUBLIC RELATIONS

- Press Release: Centre Launch: Centre moves to protect agricultural innovation, 26 February 2001
- Press Release: The Hon Warren Truss MP: New Intellectual Property Centre Will Help Protect Australia's Agricultural R&D, 26 February 2001
- Press Release: New Centre for Intellectual Property in Agriculture at ANU, 6 March 2000
- G. Tooth, 'Bioprospecting in Queensland: Oceans of Opportunity, Forests of Concern', ABC Radio National investigative documentary, Sunday 27 May 2001, featuring Brad Sherman.
- L. Baker, 'Copyright Laws Fail Indigenous Artists' (20 July 2001) 32:10 *ANU Reporter* 3, featuring Matthew Rimmer.
- M. Rimmer, 'Introduction to Gene Patenting', *ANU Reporter*, Vol. 32 (11) (3 August 2001) 7.
- L. Baker, 'Intellectual Law Caught Out By Gene Patents', *ANU Reporter*, Vol. 32 (11) (3 August 2001) 7, featuring Brad Sherman.
- C. Lawson, 'Patenting Of Genes And Gene Sequences' *ANU Reporter*, Vol. 32 (11) (3 August 2001) 7.
- A. Salleh, 'GM Patents Threaten Farmers' Rights, Says Lawyer', ABC Science online, Wednesday 8 August 2001 featuring Brad Sherman.
- M. Thornton, 'Gene Patenting Outstrips The Law And Needs New Ethical Rules', *Food Chemical News (USA)*, 20 August 2001, featuring Brad Sherman.
- A. Wahiquist, 'Name Game Is Food For Thought', *The Weekend Australian*, 8 September 2001, featuring Brad Sherman and Antony Taubman.
- D. Kingsley, 'Bioprospecting Gets A Boost', ABC Science, 25 September 2001, featuring Matthew Rimmer.
- L. Baker, 'Intellectual Property Caught Out By Gene Patenting', *Campus Review*, 26 September 2001, featuring Brad Sherman.

- 'Patent Laws Leave Farmers Defenceless', ABC Radio, 12 October 2001, featuring Brad Sherman.
- K. Philips, 'Crystal Palaces: Copyright Law and Public Architecture', 666 ABC Canberra, Wednesday 31 October 2001, Interview with Matthew Rimmer
- 'WTO Conference at Doha: Access to Drugs', *Lateline* (ABC TV), 9 November 2001, comments by Antony Taubman
- E. Rosenthal, 'AIDS Patients in China: Lack of Effective Treatment', *New York Times*, 12 November 2001, comments by Antony Taubman
- 'Intellectual Property Rights in Agriculture', *Bush Telegraph*, ABC Rural Radio, 23 November 2001, comments by Dr Margaret Llewellyn & Antony Taubman

PRESENTATIONS BY ACIPA STAFF

Matthew Rimmer

- *Introduction to Patent Law*, Defence Science and Technology Organisation, Canberra, 12 April 2001
- *Patenting Human Growth Hormone: The University of California v Genentech*, (ANU) Canberra, 9 August 2001
- *Introduction To Intellectual Property Law*, Department of Defence, Canberra, 27 September 2001
- *Beyond Blue Gene: Intellectual Property and Bioinformatics*, Griffith University, Brisbane, 1 October 2001
- *Intellectual Property, Peer To Peer, And Resistance To Regulation*, University of Technology Sydney, Sydney, 26 October 2001
- *Crystal Palaces: Copyright Law and Public Architecture*, Australian National University, Canberra, 31 October 2001.
- *Virtual Countries: Internet Domain Names and Geographical Terms*, Victoria University, Melbourne, 10 December 2001

Brad Sherman

- *The Importance of Intellectual Property to Agriculture*, The Annual Quality Wheat CRC Symposium: The Wheat Supply Chain, Sydney 14 February 2001
- *Research Commercialisation and Intellectual Property Management*, presented to the Annual Meeting of the Rural R&D Chair's Committee, Canberra, 26 February 2001.
- *Intellectual Property and Rural Industries*, Annual meeting of the Rural R&D Chair's and Executive Managers, Canberra, 26 February 2001
- *Intellectual Property: an Update*, Deacons Lawyers, Brisbane, 1 March 2001
- *Intellectual Property and Indigenous Creations*, University of Amsterdam 22 June 2001
- *Patent protection for Biological Inventions*, University of Maastricht, 6 July 2001
- *Biological Inventions and the Problem of Passive Infringement*, ANU 16 July 2001
- *Schmieser v Monsanto: Lessons for the Future*, Griffith University, 5 September 2001
- *The future of IP*, presented at Avcare Conference: Agricultural Solutions Towards 2020, Sydney, 6 September 2001
- *Intellectual Property and the management of public sector research*, presented to Technology, Transfer and Innovation Conference, 24 September 2001 Brisbane
- *Managing IP: problems for the future*, presented to the Rural Industries Research Development Corporation (RIRDC) Board meeting Canberra: 12 September 2001.
- *Percy Schmieser and Biological Inventions*, presented to Agribusiness Lunch, Canberra 11 October 2001

Antony Taubman

- *Beyond TRIPS: forms of ownership and control of knowledge resources, public lecture, Gajah Mada University, Jogjakarta, July 2001*
- *Patent Rights and Obligations, public lecture, Diponegoro University, Semarang, Indonesia, July 2001*
- *Advanced Patent Law, IASTP training course, Directorate General of Intellectual Property Rights, Tangerang, West Java, June 2001*
- *Introduction to Patent Law, IASTP training course, Ministry of Justice, Padang, West Sumatra, June 2001, and Solo, Central Java, July 2001.*
- *Force-feeding enforcement, TRIPS and the enforcement of IPRs in the Asia-Pacific region, Asian Law Centre, Melbourne, September, 2001*
- *Orienting TRIPS, Asian Law Centre, Melbourne, September, 2001*
- *The WTO TRIPS Agreement, International Trade Law, ANU Faculty of Law, September 2001*
- *Compunctious visitings of nature: access to genetic resources, Canberra, 4 October 2001*
- *Pharmaceutical patents and the WTO TRIPS Agreement: can the sword be a ploughshare, a problem the solution?, 6th International Conference on Aids in Asia and the Pacific, Melbourne, 9 October 2001*
- *Market failure in the knowledge economy: registration data protection in Australia, Australian Law & Economics Association Annual Conference, October 2001*
- *The Way Ahead: Developing International Protection, WIPO International Symposium on the International Protection of Geographical Indications, Montevideo, November 2001*
- *Cereal offenders? Owning, controlling and exploiting biological resources, ACIPA Conference, November 2001*
- *TRIPS beyond 2000, IPRs, trade and developing countries, International Development Law Institute, December 2001*
- *Location, Location, Location: Geographical Indications and World Trade, 10 December 2001 Brisbane*
- *Traditional knowledge and intellectual property, University of Wollongong, December 2001*

11. WEBSITE

The Centre established a Draft Website in September 2000 at <http://law.anu.edu.au/centres/acipa/>. The site includes information about the Centre and details of activities, press releases, positions vacant, and related sites. The site will be moved to its own domain after it is redesigned in 2002.

12. OFFICIAL LAUNCH

ACIPA was launched by the Hon Warren Truss MP, Minister for Agriculture, Forestry and Fisheries at Australian Parliament House on 26 February 2001. Over a Hundred representatives attended from a wide range of organisations: Federal Parliament, Commonwealth departments, rural research & development corporations, rural industry bodies, scientific research organisations, intellectual property institutions, legal practice, the ANU, and other universities. The Minister outlined the Centre's role to 'encourage researchers and funders to provide and to ensure that intellectual property issues are an integral part of their research and development, and business decision-making'. The Minister went on to highlight the Centre's task in providing a 'valuable asset and support for Australia's agricultural practitioners, the farmers in the field, as they get on with the task of producing the food and fibre we need for our own nation and to help support our agricultural exports around the world'.