



Using Patented Inventions For Research

Friday 1 June 2007
8.30am to 12.30pm
Registration from 8am

Macquarie Graduate School of Management
Level 6
51-57 Pitt Street
Sydney

Chair and Speakers

Professor Jill McKeough, Dean of the Faculty of Law, University of Technology Sydney

Adam Liberman, General Counsel, CSIRO

Michael Caine, Partner, Davies Collison Cave

Jesmini Ambikapathy, Legal Counsel, CSIRO

Endorsed by



The Institute of Patent and
Trade Mark Attorneys of Australia

Chair and Speakers

Professor Jill McKeough, Chair

Professor Jill McKeough is Dean of the Faculty of Law, University of Technology Sydney (UTS).



Professor McKeough has written and taught mainly in intellectual property (copyright, designs, patents, trade marks, confidential information, biotechnology and indigenous cultural heritage). Professor McKeough came to UTS in 2005 as Dean after a long career at University of New South Wales where she held a number of management positions including Head of School, Faculty of Law.

Professor McKeough was a member of the Ergas Committee (Intellectual Property Competition Review Committee) which reported to the Federal Government at the end of September 2000. She is currently on the board of the Arts Law Centre of Australia and is a member of the Law Council of Australia's Intellectual Property Committee. Professor McKeough has served on the Copyright and Intellectual Property Committee of the Australian Vice-Chancellor's Committee.

Adam Liberman

Adam has been General Counsel at CSIRO since August 2006.



Immediately prior to becoming General Counsel at CSIRO, Adam was a partner of one of Australia's leading commercial law firms, Freehills.

Adam has been on the Board of the Licensing Executives Society International since 2002. The Licensing Executives Society International is the world's largest professional intellectual property society.

Adam has written and spoken widely on intellectual property, its management and commercialisation including at the request of organisations such as the Australian Graduate School of Management and the World Intellectual Property Organisation (in Indonesia, India and Singapore).

Michael Caine

Michael Caine is a patent attorney and Partner of Davies Collison Cave.



Michael heads up the firm's organic chemistry/pharmaceutical group. Much of Michael's work is in relation to the patenting of pharmaceuticals developed by research institutes and pharmaceutical companies.

Michael is a Council Member of the Institute of Patent and Trade Mark Attorneys of Australia, where he is Convenor of the International Patents Committee. He is also a member of the Client Liaison Board of the Intellectual Property Office of New Zealand.

Jesmini Ambikapathy

Jesmini is a Legal Counsel at CSIRO with a focus on the life sciences divisions.



Prior to joining CSIRO, Jesmini worked at Mallesons Stephen Jaques in the Banking and Finance and the Intellectual Property Technology Groups and was an Associate to the Hon Justice Annabelle Bennett of the Federal Court of Australia.

Jesmini is a graduate of the Australian National University with a Bachelor of Science (Hons) in Biochemistry and Molecular Biology (1999) and a Bachelor of Laws (Hons) (2001). Jesmini is also a graduate of the University of Cambridge with a Masters in Bioscience Enterprise (2006).

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Program

8.00am - 8.30am
Registration

8.35am - 8.45am
Chair, Professor Jill McKeough
Introductory comments (including on current law)

8.50am - 9.50am
Michael Caine
Proposed changes to the law - changing liabilities and opportunities

- Recommendations in the report on *Patents and Experimental Use* prepared by the Advisory Council on Intellectual Property (October 2005)

9.55am - 10.30am
Michael Caine
Group discussion on the application of ACIP recommendations to practical scenarios

10.35am - 11.05am
Morning Tea

11.10am - 12.10pm
Adam Liberman and Jesmini Ambikapathy
Proposed changes to the law - practical steps to be considered by organisations which conduct research

12.15pm - 12.25pm
Chairperson, Professor Jill McKeough
Concluding comments

Program Context

Many researchers, commercialisation executives and advisers in Australia are operating on the assumption that the law permits use of patented inventions for research.

Consequently, some organisations are exposed to litigation risk. Conversely, there are patentees who are unaware that they may have patent rights in respect of third parties' research use of their patented inventions.

The October 2005 Advisory Council on Intellectual Property (ACIP) report, *"Patents and Experimental Use"*, recommended the introduction of a statutory research exemption. ACIP's report also considered the appropriate parameters of such an exemption if it is to be included in the *Patents Act*.

There is a need for research organisations and commercial companies engaged in research to be aware of the current legal position and how it is likely to change. There is also a need for organisations to develop related strategies and internal policies.

About Tech IP Professional Development

Tech IP Professional Development has been formed to provide high quality professional development programs relating to the commercialisation of research, technology and intellectual property.

Tech IP Professional Development's CEO is Dean Ellinson. Dean's prior positions and appointments have included: General Counsel, Monash Commercial; Special Counsel, Blake Dawson Waldron; Chairperson, Law Institute of Victoria's Intellectual Property and Information Technology Committee; and Australian Corporate Lawyers Association's Representative on the Council of the Law Institute of Victoria.



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Registration from 8.00am

Macquarie Graduate School of Management
Level 6, 51-57 Pitt Street, Sydney

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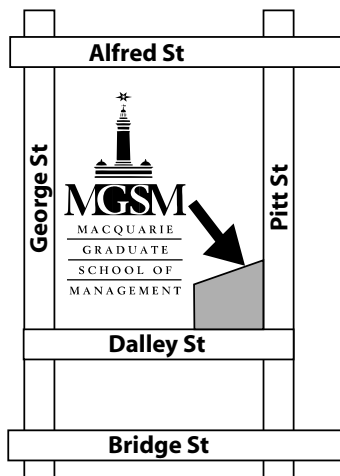
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Phone: (03) 9523 7207

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