Dear Mr Posa

Thank you for the opportunity to comment on the draft IP Toolkit.

The IP Toolkit appears a useful guide when discussing the ownership of IP and to encourage collaboration. In relation to NSW Government’s health and medical research programs, the Toolkit may be a useful adjunct to:

- the NSW Health and Medical Research Hub strategy,
- the NSW Medical Devices Commercialisation Training Program, and to a lesser degree
- the NSW Medical Devices Fund

We are currently reviewing our policy relating to the management of intellectual property arising from public health organisations. There are particular requirements relating to cost coverage from the use of public resources and equitable return to the public health system. These considerations would influence negotiations on IP ownership and possible distribution of proceeds from commercialisation arising from work with a public health organisation. These matters are currently under consideration.

In this regard, it would be useful to understand the Department’s timeframe for implementation or rollout strategy for the Toolkit.

In relation to the list of ‘Other IP issues’, it would be useful to include further explanation, examples or relevant links that would provide some context to the issues referred surrounding traditional knowledge and IP, where materials have an indigenous source (Attachment 1, point 35, on page 32).

We would appreciate discussing these issues at your earliest convenience, please contact [redacted] to set up a suitable time.

Kind regards,

Anne O’Neill
Associate Director, Office for Health and Medical Research