

## **Integration of Patent Examination between Australia and New Zealand**

### **What is Integrated Patent Examination?**

Prime Minister John Key and Prime Minister Julia Gillard recently announced a new initiative to integrate New Zealand and Australia's patent examination services. This will result in a single patent examination process for both countries.

This initiative is part of the Single Economic Market (SEM) outcomes framework, which aims to accelerate and deepen efforts toward trans-Tasman regulatory integration.

### **Why are we doing it?**

Most patent applications filed in New Zealand are also filed in Australia. These applications are currently subject to a similar but separate examination process.

Integrating patent examination between both countries will eliminate this unnecessary duplication.

This level of patent cooperation is a world first and will benefit Australian and New Zealand innovators.

### **What are the benefits for innovators?**

- Potential savings in professional fees and patent protection costs.
- A faster examination process - which may help an innovator get their invention to market more quickly.
- Consistent and high quality patent examination – which will result in more robust IP rights and give innovators and exporters greater confidence when seeking IP protection overseas.

### **How will it work?**

Patent applications filed in both Australia and New Zealand will be examined by one examiner located in either country.

Examiners will grant or refuse applications under each country's law. It will not be necessary for our laws to be identical.

### **Will it affect my IP rights?**

There will be no disadvantage to innovators in either country. Australia and New Zealand will operate as one integrated patent examination entity in practice – not in law. Both countries will retain flexibility to implement legislation and policies.

### **Next steps**

This initiative will be implemented in two stages. In the first stage, both countries will rely on each other's work, where possible, to build confidence and simplify processes. A single examination process will be the second stage, where the efficiencies and benefits of this initiative will be realised.

The single examination process is expected to be in place within 3 years.

### **Further Information**

#### **New Zealand:**

[www.iponz.govt.nz/cms/iponz/sem](http://www.iponz.govt.nz/cms/iponz/sem)  
0508 447 669

[www.med.govt.nz/SEM](http://www.med.govt.nz/SEM)

#### **Australia:**

[www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)  
1300 65 1010  
assist@ipaustralia.gov.au

[www.treasury.gov.au/ttoig](http://www.treasury.gov.au/ttoig)