

**Cancer Voices Australia**

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**cancer voices australia**

Mr Terry Moore  
Director, Secretariat, Pharmaceutical Review Team  
IP Australia  
PO Box 200 Woden, ACT 2606  
E: [pharmapatents@ipaustria.gov.au](mailto:pharmapatents@ipaustria.gov.au)

Dear Mr Moore

Thankyou for the invitation to contribute to the review of pharmaceutical patents, and to comment on the Pharmaceutical Patents Review Panel's *Background and Suggested Issues Paper (Nov 2012)*.

I am writing for Cancer Voices Australia and its constituent Cancer Voices state organisations. Cancer Voices Australia is the independent, 100% volunteer voice of people affected by cancer, working to improve the cancer experience for Australians, their families and friends. We are active in the areas around diagnosis, information, treatment, research, support, care, survivorship and policy. To achieve this we work with decision-makers, ensuring the patient perspective is heard.

Cancer Voices has led the cancer consumer movement in Australia since 2000. Cancer Voices organisations across Australia share the same objectives and work together on national issues identified as important by their members, with consumers working to help others affected by cancer.

Access to proven cancer drugs is naturally of prime interest to our members, and this is affected by the Australian system of patents for pharmaceuticals.

We recognise the economic need for a fair and understood patent system for pharmaceuticals; we recognise the need for patents to protect investment in the development and marketing of medical drugs. However, through our recent involvement in the legal case against the ability to patent human genes, we realise that the present patent system can be misinterpreted for use beyond its original intentions. While the Review does not cover that aspect of patent law and practice, we welcome its intention that the system should reflect best practice, and that any anomalies which may have arisen may be addressed as a result of the Review and its recommendations.

We note the size and relative health of the Australian pharmaceutical industry, whose turnover was \$22.5 billion in 2010-11, and that this has doubled in the last ten years.

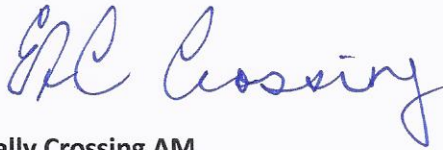
Cancer patients want a system for the patenting of pharmaceuticals to:

- be ethical
- enable affordable and reasonable access to those drugs,
- not unreasonably distort the market by reducing completion by various methods addressed in the Review Paper ; and
- have no negative impact on research

Regarding the Productivity Commissions' Circular notes regarding the scope of the its broader Inquiry, we wish to strongly support the aim of "*affordable and equitable access to healthcare including medical treatments and diagnostic tests in Australia*" and suggest that IP Australia adopts this as a general goal..

As a consumer organisation representing the needs and view of people affected by cancer, Cancer Voices Australia trusts these comments will factored into the next steps of this process.

Yours sincerely

A handwritten signature in blue ink that reads "Sally Crossing". The signature is written in a cursive style with a large initial "S" and "C".

**Sally Crossing AM**  
Cancer Voices Australia Steering Committee  
21 January 2013