



THE UNIVERSITY OF
MELBOURNE

Intellectual Property
Research Institute of Australia

Annual Report 2005 - 2006

Director's Report



Professor Joshua Gans

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Following a favourable international review in May 2005 **ipria** has reinforced its reputation as a nationally and internationally recognised hub of research, discussion and debate relating to the operation, exploitation and optimisation of national intellectual property systems.

2005/06 was another successful year in terms of traditional academic measures, such as invitations to present work at leading international conferences, publication of work in leading international journals, and the winning of important tendered research contracts and success in the Australian Research Council funding rounds.

The Institute has continued to demonstrate its responsiveness to the needs of its stakeholders without any deterioration in its ability to develop and disseminate the results of its ongoing research agenda. **ipria** continues to make good progress on the dissemination and cross-fertilisation of ideas through the publication of working papers and reports, the running of public seminars, responding to invitations to deliver papers at national and international conferences and seminars, and the making of submissions to government inquiries.

Both as an institution and through the individual efforts of its researchers, **ipria** has played an active role in increasing stakeholders' understanding of the potential impacts of intellectual property. We have substantially broadened our reach in terms of audience as corporate and industry managers have increasingly participated in our events and engaged with us on advice. Perhaps the most striking examples of this have been our work on management of intellectual property, particularly copyright, by cultural institutions and the enthusiastic reception of the outcomes of our research on the interface between the taxation and intellectual property systems.

Participation in these areas of topical significance has not restricted the Institute's ability to continue its core research program, regular bulletins on developments in the domestic and international IP system and the continued production of annual updates such as the *R&D and IP Scoreboard* and *National Innovative Capacity Index*.

ipria also provided research based advice to the Organisation for Economic Co-operation and Development, the Australian public sector and a number of non-governmental organisations and private sector organisations.

We look forward to 2006/07 as a more interactive and engaging year.

A handwritten signature in black ink that reads "Joshua Gans". The signature is written in a cursive style.

Professor Joshua Gans
Acting Director **ipria**
Professor of Management – Information Economics
Melbourne Business School, The University of Melbourne.

Highlights 2005/06

2005/06 saw **ipria** complete some of its significant initial research projects, transfer the results and engage with audiences with great success. Following the finalisation of the research phase great efforts were made to ensure that target audiences had access to the insights that the results provided for impacts on their everyday operations.

In recent years, there has been concern expressed by some IP owners in Australia that courts are "anti-IP", and an increased interest by policy-makers in how IP rights are used and enforced in Australian courts. In response to a lack of empirical data on IP enforcement and IP litigation in Australia, **ipria** created a database of all IP enforcement decisions of Australian courts for the period 1997-2003. Following analysis of this database **ipria**, in conjunction with the Institute of Patent and Trademark Attorneys conducted two well attended lunchtime seminars at which Kimberlee Weatherall presented the results of the study. The seminars also included a discussion of some of the policy implications associated with the findings.

Another of **ipria's** investigations which stimulated considerable interest was the *Review of the Operation of the Australian Tax System on Intellectual Property Commercialisation Ventures*. This review explored the relationship between taxation and venture capital, and the direct effects of taxation on incentives to commercialise intellectual property. 2005 kicked off with a Symposium on the effectiveness of venture capital taxation subsidies in encouraging investment, which was followed closely by a seminar series based on the report: *Taxing the Mind: Taxation problems in the commercialisation of intellectual property*. The events were well attended, the issues canvassed were submitted to relevant government reviews and policy directions were modified in the Early Stage Venture Capital area.

Management of intellectual property by the public and not-for-profit sectors was not forgotten. This year also saw the release of guidelines for cultural institutions to assist them with the process of digitisation and the management of Australian Indigenous collections.

Many activities performed by museums, galleries and libraries raised copyright issues - because cultural institutions generally do not own copyright in the items they possess, and yet many activities they wish to perform (such as digitisation and publishing material online) are exclusive rights of the copyright owner. This means that they are at risk of infringing copyright - unless a copyright exception applies, or they have a licence from the copyright owner. The guidelines were designed to help facilitate understanding of copyright law by staff and volunteers of cultural institutions.

On Friday 16 June 2006, a launch event was held in Canberra for the project 'Indigenous Knowledge and Intellectual Property: Access, Ownership and Control of Cultural Materials'. This is a collaborative project between IPRIA and the Australian Institute of Aboriginal and Torres Strait Islander Studies. IPRIA's main contribution to this project is a legal primer directed to cultural institutions that hold Indigenous cultural materials: *Cultural Institutions, Law and Indigenous Knowledge: A Legal Primer on the Management of Australian Indigenous Collections*, by Emily Hudson.

Outlook 2006/07

1 July 2006 is the official start of **ipria's** second phase of operations. In this phase we are implementing the recommendations of the 2005 Review. **ipria** has refocused its research agenda and simplified its operating structure in a manner that will allow us to have an increased transfer rate of knowledge created from this research.

2006/2007 will also see the development and running of a number of short educational offerings for non-specialist users in the areas of patent and taxation law.

Our events program will focus on issues ranging from the relationship between performance and reporting of intangible assets, through management of these assets to commercialisation of public sector research.

Due to demand we also have the intention of updating the popular Patent Application Scoreboard.

Research Expertise

ipria's expertise spans the broadest definition of intellectual property, covering issues relating to knowledge, personnel and intangible assets in addition to those associated with formal intellectual property rights, such as patents. Its research examines issues associated with the creation, management and exploitation of intellectual property for both commercial gain and public good. **ipria** is a multidisciplinary centre which aims to:

- Support the development of world's best practice public policy in relation to issues associated with the creation, protection, management, exploitation and enforcement of intellectual property rights
- Improve the ability of Australian organisations to protect, manage and exploit intellectual property
- Contribute to the ongoing public debate in Australia about intellectual property issues and related matters, including innovation policy and economic growth, from an informed perspective

Following on from the completion of many of the foundational research projects, the research program has shifted its focus from the stages of the innovation cycle to user focussed themes covering the full range of intellectual property creation, management and transfer. The main themes under which the research projects are classified are based on increasing the understanding of IP, and include:

1. Enforcement of IP
2. The Use of IP by Business and Other entities
3. IP's role in facilitating Innovation and Knowledge Transfer
4. The International Scope of IP Protection and Its Impact on Trade and Knowledge Flows
5. The Responsiveness and effectiveness of the IP System: Examination and Innovator Engagement

Within these themes **ipria's** core staff have specialist expertise in:

- Intangible asset measurement, management and reporting
- Information technology law
- Organisation of innovative activity
- The application of copyright, patent and trademark law
- Competitive effects of, and strategy for, IP
- Drivers of national innovation
- Relationship between firm productivity and innovation
- Role of spillovers
- Appropriability of intellectual property

Knowledge Transfer

ipria has generated diverse output in 2005/06. In terms of its growing relevance as a centre of thinking on intellectual property issues, the breadth of topics covered by its outputs provide a measure of the distance **ipria** has travelled since its inception in 2002. These outputs target **ipria's** stakeholders collectively and as individual interest groups.

Events

ipria regularly hosted, sponsored and contributed to public seminars, conferences and workshops around Australia and internationally, which focussed on topical intellectual property related themes, and featured eminent Australian and international speakers. These events were designed to inform and stimulate discussion. During the past year, **ipria** participated in and organised events ranging from digitisation of public collections to the taxation regimes for venture capital. Below is a list of events during the period covered by this report (July 2005 to December 2006).

Conferences

Digitisation & Cultural Institutions, State Library of Victoria, 26 August 2005, Melbourne

Venture Capital Symposium: Tax and Expenditure Subsidies for Commercialising Innovation, 2 February 2006, Melbourne

Grandad What's a Newspaper? Media Ownership Reform Conference – Centre for Business and Public Policy, Melbourne Business School, 19 May 2006, Melbourne

Commercialisation Expo, 18-20 June 2006, Melbourne

Law, Ethics and Indigenous Collections: a Workshop for Cultural Institutions, 19 June 2006, Melbourne

Public Seminars

Struggling for Coherence: A Review of Recent Developments in European Trade Mark Law, Professor David Llewelyn, Director of the IP Academy, Singapore, 26 July 2005, Melbourne; 28 July 2005, Sydney

Innovation and Intellectual Property Policy for the Noughties, Associate Professor Beth Webster, IPRIA/MIAESR, 6 September 2005, Canberra; 8 September 2005, Melbourne

IP Enforcement in Australia: What's Actually Happening in the Courts? Ms Kimberlee Weatherall, IPRIA (co-hosted by IPRIA and IPTA), 9 November 2005, Melbourne; 25 November 2005, Sydney

Taxing the Mind, Professor Cameron Rider, Law School, The University of Melbourne/Research Associate, IPRIA, 7 February 2006, Brisbane; 8 February 2006, Sydney; 9 February 2006, Canberra; 16 February 2006, Melbourne

Turning Intellectual Property into Commercial Reality: University Innovation Showcase, Julian Curwen, DCC; Peter Willmot, IP Australia; Duncan Bucknell, Research Associate, IPRIA; Igor Gonda, AkruX Pty Ltd; Barrie Finin, Monash University; Benjamin Palmer, Genos Pty Ltd; David Bradley, Victorian AgriBioscience Centre, 26 April 2006, Melbourne

Law, Ethics and Indigenous Collections: A Workshop for Cultural Institutions, Jason Eades, Koorie Heritage Trust; Di Hosking, AIATSIS; Caroline Carmody, AIATSIS, Emily Hudson, IPRIA; Elizabeth McNiven, National Film and Sound Archive; Mary Millano, National Film and

Sound Archive; Nerissa Broben, Koorie Heritage Trust; Moira Paterson, Monash University; Kimberlee Weatherall, IPRIA; Dianne Reilly, State Library of Victoria; Andrew Christie, IPRIA, 19 June 2006, Melbourne

Intellectual Property in Global Perspective, Professor Suzanne Scotchmer, University of California, Berkeley, 28 June 2006, Melbourne

Centenary of Trademarking, Dr Paul Jensen, Research Fellow, IPRIA, 12 July 2006, Melbourne; 13 July 2006, Sydney

Intellectual Property and Innovation: A Different Perspective, Professor David Levine, Professor of Economics, Washington University, St. Louis and Professor Eric von Hippel, Professor and Head of Innovation and Entrepreneurship, MIT Sloan School of Management, 11 August 2006, Melbourne

The Copyright Amendment Bill 2006: The Scope and Likely Impact of New Library Exceptions, Emily Hudson, Research Fellow, IPRIA, 27 October 2006, Melbourne

Can Australia's Biotechnology Industry Survive?, Professor Iain Cockburn, Professor of Finance and Economics & Everett W Lord Distinguished Faculty Scholar, Boston University School of Management, 31 October 2006, Melbourne

Disharmony in a Harmonised System: What Drives Different Outcomes at the World's Patent Offices, Dr Alfons Palangkaraya, Research Fellow, IPRIA and Melbourne Institute for Applied Economic and Social Research, 28 November 2006, Brisbane; 29 November 2006, Sydney; 1 December 2006, Melbourne

Academic Seminars

'Findings of a Research Project for the UK's Economic and Social Research Council', Dr Christine Greenhalgh, Oxford Intellectual Property Research Centre, Oxford, 21 September 2005, Melbourne

'Access to Tangible Research Materials and MTAs', Associate Professor Ann Monotti, Monash University, 13 December 2005, Melbourne

'Combining Intellectual Property, Competition, Human Rights and World Trade Law: Too Many Cooks or a Basis for Practical Solutions', Abbe Brown, Research Associate, AHRC Research Centre for Studies in IP and Technology Law, University of Edinburgh, 23 January 2006, Melbourne

'Traditional Knowledge and Biodiversity in Thailand: Political and Legal Developments Under the Evolving Global IP Regime', Daniel Robinson, PhD Candidate, University of New South Wales, 31 January 2006, Melbourne

'Knowledge Strategy and Organisational Performance: Where Does IP Fit In?', Mitch Casselman, PhD Candidate, Department of Management, University of Melbourne, 2 May 2006, Melbourne

'Paying the Piper: Information and Incentives in Cultural Copyright Marketplaces', Peter Eckersley, Department of Computer Science and Software Engineering, University of Melbourne, 9 May 2006, Melbourne

'Patent Examination and Strategic Trade Behaviour', Dr Alfons Palangkaraya, 23 May 2006, Melbourne

Conference Papers and Other Presentations Delivered

Australian Presentations

Emily Hudson, *Copyright Law for Museum Shops: Compliance and Commercialisation*, National Conference of the Museum Shops Association of Australia, 3 August 2005, Melbourne

Andrew Christie, *Options for Reform*, Copyright, Digitisation and Cultural Institutions Conference, 26 August 2005, Melbourne

Emily Hudson, *Copyright Conflict? Some Thoughts on Preservation Copying and Dealings with Orphan Works*, Copyright, Digitisation and Cultural Institutions Conference, 26 August 2005, Melbourne

Emily Hudson, *Using Guidelines: Copyright and Cultural Institutions*, Copyright, Digitisation and Cultural Institutions Conference, 26 August 2005, Melbourne

Joshua Gans, *CEDA Roundtable on Innovation Policy*, August 2005, Melbourne

Beth Webster, *The Effects on Firm Profits on the Stock of Intellectual Property Rights*, Australian Conference of Economists, 28 September 2005, Melbourne

Paul Jensen, *Patent application outcomes across the trilateral patent offices*, Australian Conference of Economists, 28 September 2005, Melbourne

Kimberlee Weatherall, *May you Live in Interesting Times: Digital Copyright in Australia, 2005*, Presentation for IP Society of Australia and New Zealand, November 2005, Brisbane

Beth Webster, *Outcome Metrics for Public-Sector Research Organisations*, Knowledge Commercialisation Australia Annual Conference, 11 November 2005, Adelaide

Beth Webster, *The Changing Nature of Work*, Australian Business Foundation Conference, 22 November 2005, Sydney

Andrew Christie, *Intellectual Property Issues in the proposed Australia-China Free Trade Agreement*, Australian Services Roundtable luncheon, 5 December 2005, Melbourne

Peter Eckersley, *The Security of DRM and Alternative Compensation Systems*, SECURECON 2006, 10 February 2006, Melbourne

Kimberlee Weatherall, *Legislating the OzDMCA*, ACIPA Copyright Conference, 17 February 2006, Brisbane

Beth Webster, *Innovation and Firm Survival*, Seminar Series, RMIT School of Finance and Business, July 2006, Melbourne

Joshua Gans, *The Dynamics of Ideas Markets*, Annual Australasian Meetings, July 2006, Alice Springs

Kwanghui Lim, *Knowledge Bridging by Biotechnology Startup*, School of Botany, the University of Melbourne, October 2006, Melbourne

International Presentations:

Paul Jensen, *Patent Application Outcomes Across the Trilateral Patent Offices*, Invited Presentation at the European Patent Office, 7 July 2005, Munich, Germany

Andrew Christie, *IPRIA – Who, Why, What and How*, Annual Congress of the International Association for the Advancement of Teaching and Research in Intellectual Property, Université de Montréal, 13 July 2005, Montreal, Canada

Emily Hudson and Andrew Kenyon, *Communication in the Digital Environment: An Empirical Study into Copyright Law and Digitisation Practices in Public Museums, Galleries and Libraries*, Australian and New Zealand Communications Association conference, July 2005, Christchurch, NZ

Andrew Christie, *Lessons of the Non-existent Non-statutory Exemption*, CSIC / OECD / OEPM Conference on Research Use of Patented Inventions, Consejo Superior de Investigaciones Científicas (CSIC), 18 May 2006, Madrid, Spain

Andrew Christie, *Some Thoughts on Balancing IP Rights with Public Policy*, Fédération Internationale des Conseils en Propriété Industrielle (FICPI) Centenary World Congress, Palais des Congrès, May 2006, Paris, France

Paul Jensen, *Labelling Characteristics and Demand for Retail Grocery Products*, European Association for Research in Industrial Economics Annual Conference (EARIE), August 2006, Amsterdam, The Netherlands

Paul Jensen, *Patent Examination Decisions and Strategic Trade Behaviour*, European Association for Research in Industrial Economics Annual Conference (EARIE), August 2006, Amsterdam, The Netherlands

Beth Webster, *Managing Knowledge Flows through Appropriation and Learning Strategies*, European Association for Research in Industrial Economics Annual Conference (EARIE), August 2006, Amsterdam, The Netherlands

Beth Webster, *Determinants of International Patent Examination Outcomes*, Innovation Seminar Series 2006, Business School, University of California, Berkeley, September 2006, Berkeley, USA

Paul Jensen, *Patent Examination Decisions and Strategic Trade Behaviour*, George Washington University Law School, September 2006, Washington DC, USA

Paul Jensen, *Patent Examination Decisions and Strategic Trade Behaviour*, European Policy for Intellectual Property (EPIP) Association, September 2006, Munich, Germany

Beth Webster, *Innovation and the Determinants of Firm Survival*, Seminar Series, Zentrum für Europäische Wirtschaftsforschung (ZEW), September 2006, Mannheim, Germany

Chris Dent, *Intersection of Economic and Legal Frameworks for Optimisation of IPR: the Case of Experimental Use Exception in Patent Law*, 1st Annual Conference, European Policy for Intellectual Property, 8 September 2006, Munich, Germany

Andrew Christie, *Duration of Patent Protection: Does One Size Fit All?*, Association Internationale pour la Protection de la Propriété Intellectuelle (AIPPI) 40th Congress, Convention Centre, 11 October 2006, Gothenburg, Germany

Visiting Fellows

During the course of the year **ipria** played host to a number of visiting fellows for research and event purposes:

- Professor Simon Anderson, Commonwealth Professor, Department of Economics, University of Virginia
- Abbe Brown, Research Associate, AHRC Research Centre for Studies in IP and Technology Law, University of Edinburgh
- Professor Iain Cockburn, Professor of Finance and Economics & Everett W. Lord Distinguished Faculty Scholar, Boston University School of Management
- Professor Jane Ginsburg, Columbia Law School
- Dr Christine Greenhalgh, Oxford Intellectual Property Research Centre, Oxford
- Professor David Levine, Washington University, St Louis
- Professor David Llewellyn, IP Academy, Singapore and Kings's College, London
- Associate Professor Ann Monotti, Faculty of Law, Monash University
- Professor Suzanne Scotchmer, University of California, Berkeley
- Mr Paul Sugden, Faculty of Law, Monash University
- Professor Eric von Hippel, MIT Sloan School of Management

Publications

ipria has continued to use publication as a means of broadly disseminating its research outputs. As well as contributing to the internal publication streams, **ipria's** researchers have also published peer reviewed articles in law, economics and business journals. The majority of these research papers, studies and reports are available for download from the **ipria** Publications web page. A complete listing of **ipria's** publications for the period covered by this report is provided below.

Journal Articles

Andrew Christie and Emma Caine (2005), 'Intellectual Property Law and Policy-Making in Australia: A Review and a Proposal for Action', *60 Intellectual Property Forum*, 20-24

Andrew Christie and Eloise Dias (2005), 'The New Right of Communication in Australia', *27(2) Sydney Law Review*, 237-262

Jason Bosland (2005), 'The Culture of Trade Marks: An Alternative Cultural Theory Perspective', *Media & Arts Law Review*, 10(2)

Emma Caine and Andrew Christie (2005), 'A Quantitative Analysis of Australian Intellectual Property Law and Policy-Making since Federation', *Australian Intellectual Property Journal*, 16(4), 185-209

Emily Hudson and Sophie Waller (2005), 'Droit de suite Down Under: Should Australia introduce a resale royalties scheme for visual artists', *Media and Arts Law Review*, 10(1)

Emily Hudson and Andrew Kenyon (2005), 'Copyright reform for visual artists: an analysis of proposals for a resale royalty scheme in Australia', *Intellectual Property Law Bulletin*, 18(5), 75-78

Laurie Hunter, Elizabeth Webster and Anne Wyatt (2005), 'Measuring Intangible Capital: A review of current practice', *Australian Accounting Review*, 15(36), 4-21

Amanda Lim and Andrew Christie (2005), 'Reach-through Patent Claims in Biotechnology: An Analysis of the Examination Practices of the United States, European and Japanese Patent Offices', *Intellectual Property Quarterly*, 3, 236-266

Kimberlee Weatherall and Paul Jensen (2005), 'An empirical investigation into patent enforcement in Australian courts', *Federal Law Review*, 33(2), 239-286

Kimberlee Weatherall (2005), 'Internet Cultures - Not an Oxymoron', *Sydney Law Review*, 27, 753-760

Sarah Moritz and Andrew Christie (2006), 'Second-Tier Patent Systems: The Australian Experience', *European Intellectual Property Review*, 4, 230-240

Joshua Gans and Richard Hayes (2006), 'Measuring innovative performance', *The Melbourne Review*, 2(1), 70-77

Paul Jensen, Alfons Palangkaraya and Elizabeth Webster (2006), 'Disharmony in International Patent Office Decisions', *Federal Circuit Bar Journal*, 15(4), 679-704

Elizabeth Webster and Paul Jensen (2006), 'Investment in Intangible Capital: An Enterprise Perspective', *Economic Record*, 82(256), 82-96

Paul Jensen and Elizabeth Webster (2006), 'Firm Size and the Use of Intellectual Property Rights', *Economic Record*, 82(256), 44-55

Andrew Christie, John Davidson and Fiona Rotstein (2006), 'Canada's private copying levy - does it comply with Canada's international treaty obligations?', *20(1) Intellectual Property Journal* 111-134

Chapters in Books

Richard Hayes (2005), "Catching up or standing still? National innovative productivity among 'follower' nations, 1978-1999," (with Jeff Furman) in [Santangelo, G.D. (ed.)], *Technological Change and Economic Catch-up: The Role of Science and Multinationals*, Edward Elgar: Cheltenham

Andrew Christie (2006), "Intellectual Property and Intangible Assets: A Legal Perspective", in Bosworth, D. and Webster E (eds), *The Management of Intellectual Property*, Cheltenham, UK and Brookfield, US: Edward Elgar

Derek Bosworth and Elizabeth Webster (2006), "Intellectual Capital and Intellectual Property: An Economic Perspective", in Bosworth, D. and Webster E. (eds), *The Management of Intellectual Property*, Cheltenham, UK and Brookfield, US: Edward Elgar

William Griffiths and Elizabeth Webster (2006), "Trends in the Value of Intellectual Property in Australia", in Bosworth, D. and Webster E. (eds), *The Management of Intellectual Property*, Cheltenham, UK and Brookfield, US: Edward Elgar

Paul Jensen and Alfons Palangkaraya (2006). "Innovation Scoreboards: An Australian Perspective", in Bosworth, D. and Webster, E. (eds.), *The Management of Intellectual Property*, Cheltenham, UK and Brookfield, US: Edward Elgar

Anne Wyatt (2006), "Intellectual Capital and Intellectual Property: An Accounting Perspective", in Bosworth, D. and Webster, E. (eds), *The Management of Intellectual Property*, Cheltenham, UK and Brookfield, US: Edward Elgar

Books

Derek Bosworth (2005), *Determinants of Enterprise Performance*, Manchester University Press: September 2005

Derek Bosworth and Elizabeth Webster (eds) (2006), *The Management of Intellectual Property*, Cheltenham, UK and Brookfield, US: Edward Elgar

IPRIA Working Paper Series

Emily Hudson and Andrew Kenyon, *Communication in the Digital Environment: An Empirical Study into Copyright Law and Digitisation Practices in Public Museums, Galleries and Libraries*, IPRIA Working Paper No. 15/05 (July 2005)

Setio Anggoro Dewo, Joshua S Gans and Joseph Hirschberg, *Has Investment in Start-Up Firms Driven Incumbent Innovative Strategy? Evidence from Semiconductor and Biotechnology Venture Capital Funded Firms*, IPRIA Working Paper No. 16/05 (August 2005)

Joshua Gans and Stephen King, *Perfect Price Discrimination with Costless Arbitrage*, IPRIA Working Paper No. 17/05 (August 2005)

Laurie Hunter, Elizabeth Webster and Anne Wyatt, *Measuring Intangible Investment*, IPRIA Working Paper No. 18/05 (October 2005)

Cameron Rider, *Sellers of Labour or Investors of Intellectual Capital?*, IPRIA Working Paper No. 19/05 (October 2005)

Emma Caine and Andrew Christie, *A Quantitative Analysis of Australian Law and Policy-Making Since Federation*, IPRIA Working Paper No. 20/05 (November 2005)

Chris Dent, *Decision-Making and Quality in the Patent Examination Process: An Australian Exploration*, IPRIA Working Paper No. 01/06 (January 2006)

Joshua Gans, *Start-Up Commercialisation Strategy and Innovative Dynamics*, IPRIA Working Paper No. 02/06 (January 2006)

Christine Greenhalgh and Mark Rogers, *Intellectual Property Activity by Service Sector and Manufacturing Firms in the UK, 1996-2000*, IPRIA Working Paper No. 03/06 (February 2006)

Christine Greenhalgh and Mark Rogers, *Trade Marks and Market Value in UK Firms*, IPRIA Working Paper No. 04/06 (February 2006)

Paul Jensen and Elizabeth Webster, *Market Power, Brand Characteristics and Demand for Retail Grocery Products*, IPRIA Working Paper No. 05/06 (February 2006)

Paul Jensen and Elizabeth Webster, *Managing Knowledge Flows through Appropriation and Learning Strategies*, IPRIA Working Paper No. 06/06 (March 2006)

Chris Dent, Paul Jensen, Sophie Waller and Elizabeth Webster, *Research Use of Patented Knowledge: A Review*, IPRIA Working Paper No. 07/06 (March 2006)

Joshua Gans, David Hsu and Scott Stern, *The Impact of Uncertain Intellectual Property Rights on the Market for Ideas: Evidence from Patent Grant Delays*, IPRIA Working Paper No. 08/06 (April 2006)

Amanda Lim and Andrew Christie, *A Comparative Analysis of the Australian Patent Office's Examination of Biotechnology Reach-through Patent Claims*, IPRIA Working Paper No. 09/06 (May 2006)

Hielke Buddelmeyer, Paul Jensen and Elizabeth Webster, *Innovation and the Determinants of Firm Survival*, IPRIA Working Paper No. 10/06 (July 2006)

Zi-Lin He, Kwanghui Lim and Poh-Kam Wong, *Entry and Competitive Dynamics in the Mobile Telecommunications Market*, IPRIA Working Paper No. 11/06 (July 2006)

Peter Cebon, *Australian Innovation – Learning from 10 Cases – Revision 1*, IPRIA Working Paper No. 12/06 (September 2006)

Andrew Christie, John Davidson and Fiona Rotstein, *Canada's Private Copying Levy – Does it Comply with Canada's International Treaty Obligations?*, IPRIA Working Paper No. 13/06 (October 2006)

Alfons Palangkaraya and Jongsay Yong, *Parallel Imports, Market Size and Investment Incentive*, IPRIA Working Paper No.14/06 (October 2006)

R Mitch Casselman, Eric Quintaine and B Sebastian Reiche, *Reconceptualizing Innovation as a Social and Knowledge-Based Phenomenon*, IPRIA Working Paper No. 15/06 (November 2006)

Paul Jensen, Elizabeth Webster and Hielke Buddelmeyer, *Innovation, Technological Conditions and New Firm Survival*, IPRIA Working Paper No. 16/06 (November 2006)

Fiona Rotstein and Kimberlee Weatherall, *Filing and Settlement of Patent Disputes in the Federal Court, 1995-2005*, IPRIA Working Paper No. 17/06 (November 2006)

Jason Bosland, Kimberlee Weatherall and Paul Jensen, *Trade Mark and Counterfeit Litigation in Australia*, IPRIA Working Paper No. 18/06 (November 2006)

Reports

Chris Dent, Paul H Jensen, Sophie Waller and Elizabeth Webster, *Research Use of Patented Knowledge- A Review*. Report for the OECD (2005)

Emily Hudson and Andrew Kenyon, *Copyright and Cultural Institutions: Short Guidelines for Digitisation* (2005)

Emily Hudson and Andrew Kenyon, *Copyright and Cultural Institutions: Guidelines for Digitisation* (2005)

Cameron Rider, Lillian Hong, Ann O'Connell, Miranda Stewart, Michelle Herring, *Taxation Problems in the Commercialisation of Intellectual Property* (2006)

Emily Hudson and Andrew Kenyon, *Copyright and Cultural Institutions: Guidelines for Digitisation* (2006)

Emily Hudson, *Cultural Institutions, Law and Indigenous Knowledge: A Legal Primer on the Management of Australian Indigenous Collections* (2006)

Joshua Gans and Richard Hayes, *Assessing Australia's Innovative capacity – 2005 Update* (2006)

Joshua Gans and Richard Hayes, *Assessing Australia's Innovative Capacity – 2006 Update* (2006)

Scoreboards

Nina Van Dyke (Ed), *R&D and Intellectual Property Scoreboard 2005*

Submissions to Government

Kim Weatherall and Emily Hudson, *Response to the Issues Paper: Fair Use and Other Copyright Exceptions in the Digital Age*, submitted to the Attorney-General's Department, July 2005

Kim Weatherall, *Response to the Inquiry into Technological Protection Measures Exceptions*, submitted to the House of Representatives Legal and Constitutional Affairs Inquiry into Technological Protection Measures Exceptions, November 2005

Cameron Rider, *Response to the Pathways to Technological Innovation Inquiry*, submitted to the Standing Committee for Science and Innovation, House of Representatives, Canberra, February 2006

Joshua Gans, *Response to study on Public Support for Science and Innovation*, submitted to the Productivity Commission, July 2006

Paul Jensen, Alfons Palangkaraya and Elizabeth Webster, *Response to the Productivity Commission's call for submissions on Public Support for Science and Innovation*, submitted to the Productivity Commission, July 2006

Resources

People

ipria's primary resource is, of course, its people. **ipria** is blessed with excellent personnel, and can count among its core staff and research associates many outstanding researchers of international repute.

The management team of **ipria** comprises the Director, the three Associate Directors, the General Manager, Executive Officer and the Administrative Officer. The Director and Associate Directors provide the leadership of the Institute's research program.

In addition to its core research staff, **ipria** supports the work of, or collaborates with, an impressive network of associated researchers. These Research Associates are affiliated with leading universities in Australia, the United Kingdom and the United States.

ipria is assisted in achieving its mission by an Advisory Board and an International Board of Assessors. The Advisory Board's membership is drawn from industry, business, government, the professions, and the academy. The International Board of Assessors contains leading intellectual property researchers from around the world.

Management

Director

Professor Andrew Christie

BSc, LLB (Hons) (Melb), LLM (London), PhD (Cambridge), Davies Collison Cave Chair of Intellectual Property, Barrister and Solicitor of the Supreme Court of Victoria, Solicitor of the Supreme Court of England and Wales, Registered Trade Marks Attorney, Australia

Associate Directors

Professor Joshua Gans

BEcon (Hons) (Qld), PhD (Stanford)
Professor of Management - Information Economics,
Melbourne Business School, the University of Melbourne

Kimberlee Weatherall

BA, LLB (Hons) (Syd), BCL (Oxford), LLM (Yale)
Senior Lecturer, Faculty of Law, the University of Melbourne.

Dr Elizabeth Webster

BEcon, MA (Monash), PhD (Cambridge)
Principal Research Fellow, Melbourne Institute of
Applied Economic and Social Research

General Manager

Leanne McDonald

Executive Officer

Jean Molloy

Administrative Officer

Celia Ujvari

Advisory Board

The **Advisory Board** represented key external stakeholders in **ipria** and reflects the range of interests and activities undertaken by the Institute.

The Advisory Board for the first term of operations (2002-2006) was:

- Mr Hugh M Morgan AC (Chair)
- Mr Owen Malone, Vice President Intellectual Property, Fosters Group Ltd
- Dr Ian Heath, Director General, IP Australia
- Dr Mike Hirshorn (OAM), Chief Executive, Nanyang Innovation Fund, Nanyang Ventures Pty Ltd
- Professor John Seybolt, Dean and Director, Melbourne Business School, the University of Melbourne
- Dr Deborah Kuchler, Managing Director, MIND2MARKET Pty Ltd
- Professor Michael Commelin, Dean, Faculty of Law, The University of Melbourne
- Mr Desmond Ryan AM, Consultant, Davies Collison Cave Patent and Trade Mark Attorneys and Solicitors
- Professor Andrew Christie, Director, ipria

Research Expertise

Research Fellows

Saba Elkman

BA, LLB (Hons) (Melb)

Richard Hayes

BEng (Chem) (Syd), MBA (Melb)

Emily Hudson

BSc (Hons), LLB (Hons) (Melb)

Dr Paul Jensen

BEc (Syd), PhD (AGSM)

Dr Alfons Palangkaraya

BSc (UMo), MA(PennSt), PhD(OreSt)

Researchers

Justine Clarke

BA (Hons), LLB (Melb)

Xiangyun Lillian Hong

LLB (Xiamen), LLM (Melb)

Nitsa Karahalios

BA, LLB (Hons) (Melb)

Amanda Lim

BSc (Hons) (Melb), PhD (Melb)

Sarah Moritz

BComm, LLB, Dip Mod Lang (German) (Melb)

Sally Pryor

BA, LLB (ANU), Grad Dip (Legal Practice) (Canb)

Sophie Waller

BSc, LLB (Hons) (Monash).

Research Associates

Professor Margaret Abernethy

BEcon (Hons), PhD

Dean of the Faculty of Economics and Commerce and Professor of Accounting, the University of Melbourne

Dr Jane Anderson

PhD (UNSW)

Visiting Research Fellow, Intellectual Property Department, the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

Professor Derek Bosworth

BA, MSc, PhD

Professor of Economics at the Manchester School of Management, UMIST, Senior Research Associate of the Oxford Intellectual Property Research Centre

Dr Peter Cebon

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Financial Position

ipria was established in 2002 with foundation funding from the Commonwealth of Australia through IP Australia, the University of Melbourne and the State of Victoria. Following the successful 2005 Review the University of Melbourne and IP Australia have agreed to provide core funding for another four years. In addition to its core funding, **ipria** obtains financial resources from research funding bodies and various stakeholders. Those financial resources support specific research projects.

	2002	2003	2004	2005	2006*
	\$'000	\$'000	\$'000	\$'000	\$'000
Income					
Core Funding	1,376,351	1,200,000	1,135,000	1,706,000	870,000
Commissioned Work	64,264	71,880	38,015	43,147	154,636
Other Income	27,432	35,525	74,879	68,413	6,407
Total	1,468,047	1,307,405	1,247,894	1,817,560	1,031,043
Expenditure					
Research	645,810	964,976	1,484,565	1,572,231	753,876
Knowledge Transfer	232,815	334,950	421,684	414,751	562,572
Total	878,625	1,299,926	1,906,249	1,986,982	1,316,448
National Competitive Grants	62,393	122,727	231,773	216,653	371,900

*Estimate

ipria produces audited income and expenditure statements on a calendar year basis. These are available from its website at www.ipria.org.