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## **NZICT calls for caution over abandoning software patents**

The group that represents the New Zealand ICT industry, NZICT, warns that a Select Committee recommendation to abandon software patents is worrying for New Zealand.

A Select Committee focusing on Patents Bill reforms recently recommended the Government to remove patent protection for software programs in New Zealand.

NZICT chief executive Brett O'Riley says the country's software development sector deserves the same protection as other sectors where invention and innovation occurs.

"Software patents, while acknowledged as a less than perfect solution in some areas, are none-the-less integral to an individual or company's right for commercial protection and essential for competing globally. We believe that it is very important that companies retain the option to protect their innovations under patent law, if that is their choice "

O'Riley is perplexed by the recommendation, as it contravenes current New Zealand economic policy and contradicts the policy to continue software patents which had been confirmed in 2005 after industry consultation.

O'Riley also warns that the wider implications of such a law change is inconsistent with the policy of our trade partners and may have an impact on New Zealand's ability to negotiate trade agreements.

"New Zealand's ability to trade and compete internationally in the digital economy depends upon a supportive legislative environment that harnesses and recognises New Zealand ingenuity and innovation."

He strongly urges the Government to rethink the implications of removing software patents if it is serious about supporting New Zealand's innovators and economic growth for the nation.

"Strong Intellectual Property protection systems, supported by Government, encourage innovators and attract foreign capital and investment into innovation.

"The business incentive for research and development is that it can lead to intellectual property assets that can be turned into commercial products.

"As a small nation competing on a global stage, we cannot afford to set a precedent that will limit our ability to develop digital exports," says O'Riley.

Abandoning software patents is a major policy change. NZICT is concerned that the software

industry has not been consulted sufficiently on this change and recommends the Government be cautious to ensure that it is acting in the interests of the industry as a whole.

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