



SENATOR THE HON TIM AYRES
MINISTER FOR INDUSTRY AND INNOVATION
MINISTER FOR SCIENCE

MS25-000646

Mr Michael Schwager
Director General
IP Australia
47 Bowes Street
PHILLIP ACT 2606

Dear Mr Schwager

IP Australia plays a critical role in supporting the Australian Government's vision for economic growth, productivity, and job creation.

An effective intellectual property (IP) system underpins national prosperity and creates sound conditions for innovation, trade and investment. IP Australia must maintain a strong registered IP rights system to aid Australia's transition to a more productive, resilient and sustainable economy. In exercising its functions and powers, I expect IP Australia to:

- Provide expert advice to the Government on the development of registered IP rights policy and legislation.
- Deliver evidence-based improvements to keep Australia's registered IP rights system fit for purpose and ensure confidence in its regulatory activities.
- Engage internationally to support Australia's key role within the global IP system.
- Use data and new digital technologies to improve program delivery.

Advancing the Government's priorities

Advancing innovation and economic prosperity is at the heart of key Government initiatives and programs, including the Future Made in Australia agenda, National Reconstruction Fund, and Industry Growth Program. The Government expects IP Australia to support the government's objectives of protecting and developing new and emerging technologies, driving productivity and competitiveness, and securing sustainable and well-paid jobs for Australians.

Supporting the commercialisation of more Australian ideas

A world leading Australian IP system builds prosperity for Australians by facilitating creativity, innovation, and the commercialisation of ideas. The IP system enables Australian businesses to protect their developed technology and grow trusted brands, which is essential to advancing the Government's broader economic and productivity agenda.

IP Australia, as the steward of Australia's registered IP rights system that includes patents, trade marks, designs and plant breeders rights, needs to nurture a strong innovation ecosystem that helps Australian businesses and industries to thrive through the creation, commercialisation and protection of new and emerging ideas, technologies, designs and brands.

I expect IP Australia to actively engage with and educate small and medium enterprises, including those owned and operated by under-represented groups, on how to protect their know-how and competitive advantage through strategic use of IP. This also includes work on mechanisms for cost-effective and accessible enforcement, which is a particularly challenging area for Australian small business.

Additionally, I expect IP Australia to engage proactively with the Government's Strategic Examination of Research and Development to support its identification of opportunities for:

- Getting more value from investment in science and research and retaining more of that value in Australia
- Better harnessing and growing business investment in research and development in Australia and
- Leveraging Australia's scientific strengths to help address national priorities and foster new industries.

More specifically, I expect IP Australia to help improve the commercialisation of IP from research institutions in Australia.

Elevating Aboriginal and Torres Strait Islander knowledge systems

Indigenous Knowledge is an important asset of Aboriginal and Torres Strait Islander people, their communities and organisations. I expect IP Australia will continue to build trust and empower these communities to benefit from, and manage, their Indigenous Knowledge.

The National Agreement on Closing the Gap Priority Reforms highlights the need for structural change in government engagement with Aboriginal and Torres Strait Islander people. IP Australia is expected to ensure Aboriginal and Torres Strait Islander peoples are key voices in IP policy discussions, and that the IP system upholds their cultural and economic interests.

Regulatory reform

Regulatory reform is central to the Government's plan to boost Australia's productivity and lower the cost of living. Improved performance by regulators also helps engender trust in government and its institutions. I expect IP Australia to contribute to regulatory reform by:

- Taking actions to reduce compliance costs for businesses without compromising standards.
- Working with stakeholders on opportunities to optimise timeframes for decisions on regulatory outcomes, aligned with their expectations.
- Adopting a stewardship approach to regulatory activities and systems, including ensuring a whole-of-lifecycle approach to regulation to meet current and future challenges.
- Incorporating regulator performance reporting into reporting processes.

Driving the organisation's performance

I expect IP Australia to act according to the Government's principles of regulator best practice, engage effectively with risk and strive for continuous improvement.

I expect IP Australia to drive efficient processes, perform its functions effectively and continue to develop a capable, multi-disciplinary workforce to uphold the effectiveness of the registered IP rights system.

I acknowledge that IP Australia has effectively adopted new AI based technologies to provide innovative, data-driven services. This has led to high-quality service delivery and customer satisfaction. I expect that IP Australia will maintain this positive trajectory into the future. I also expect IP Australia to undertake work that appropriately deals with the effects of AI on the registered IP rights system.

In addition, IP Australia should continue delivering key activities, including:

- Regulating the Trans-Tasman IP attorney regime for Australian and New Zealand patent attorneys, and Australian trade mark attorneys.
- Administering the *Designs Act 2003*, *Patents Act 1990*, *Plant Breeder's Rights Act 1994*, *Trade Marks Act 1995*, and *Olympic Insignia Protection Act 1987*.

Working across Government

In delivering its functions and working across government, I expect IP Australia to:

- Work closely with the Department of Industry, Science and Resources and other government departments and agencies to align its activities with the Government's priorities, provide accurate and timely IP policy advice and deliver on the priorities set out in this statement. This includes engagement with the cross-government IP Policy Group, which coordinates IP Policy and strategies to support commercialisation of IP.
- Notify my office and department in advance of major announcements or events that may attract media or stakeholder attention, including consideration of my involvement.

As a non-corporate Commonwealth entity operating on a cost-recovery basis, IP Australia should collaborate with other government departments and consider applicable policies during any fee review, including their impact on customers and stakeholders.

As the responsible minister, I will support IP Australia to implement policy changes and administer the registered IP rights system by providing clear Government policy direction. I look forward to working with you to ensure registered IP rights support economic growth, productivity and jobs.

Statement of Intent

I anticipate receiving IP Australia's statement of intent within three months, detailing the approach it will take to fulfil these expectations. I intend for this statement of expectations and responding statement of intent to be made public.

Yours sincerely

A handwritten signature in black ink, appearing to be 'T Ayres', with a long horizontal flourish extending to the right.

TIM AYRES
27/10/2025

CC: The Hon Dr Andrew Charlton MP, Assistant Minister for Science, Technology and the Digital Economy