



Jamie Wilson
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25 August 2015

Dear Mr Wilson

Thank you for your request dated 7 August 2015 for information under the Official Information Act 1982.

You have asked whether, during the research, writing, select committee, submission or debating stages of the Patents Bill 2013, was there any research or theoretical modelling done to evaluate the financial impact of banning software patents?

You have also asked that if any such research or modelling was done, that the Ministry provide that research or modelling.

In the event that no such modelling was done, you ask how the Ministry came to the conclusion that 'patent trolls' would affect innovation in the IT sector.

There was no research or modelling done by the then Ministry of Economic Development at any stage during the development and passage of the Patents Bill to evaluate the financial costs of banning software patents. Your request is therefore refused under s18(e) of the Official Information Act, that document alleged to contain the information requested does not exist.

At no stage did the Ministry conclude that 'patent trolls' would affect innovation in the IT sector. However, this view was expressed by some of those who supported the Commerce Select Committee's recommendation that computer programs should not be patentable.

You have the right by way of complaint under section 28(3) of the Official Information Act 1982 to an Ombudsman, to seek an investigation and review of my refusal to release the information referred to above.

Yours Sincerely

Warren Hassett
Senior Advisor, Business Law
Building Resources and Markets