

# Clarity on patentability in Australia

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Over the past decade, the Australian patent law and practice in relation to the patent-eligibility of software, covered business methods and gaming related inventions has been in a state of flux. In the absence of a legislative change, the Australian courts, and the patent office have been very proactive in providing much needed guidance on the requirements for patentability. As we have reported in our previous two-part series on software patentability in Australia, the Australian stand-point, based on some high-level court decisions has been very similar to the approaches being followed by the practitioners in the United States and Europe.

In this article, we explore some recent Australian patent office decisions on covered business method and gaming related patents, which appear to provide clarity and a glimmer of hope for innovators operating in this domain. In this article, we also outline what steps the applicants should take to increase the chances of success for patenting their inventions in this domain.

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