

23 May 2023

Ref: OIA-23-024

Wayne Hudson  
By Email: [fyi-request-22548-fc53570f@requests.fyi.org.nz](mailto:fyi-request-22548-fc53570f@requests.fyi.org.nz)

Tēnā koe Mr Hudson

**Official Information Act 1982 request for Eligible Activities for the Ārohia Seed Grant**

Thank you for your email of 24 April 2023 requesting, under the Official Information Act 1982 (the Act), the following information:

*"Callaghan Innovation recently issued a document entitled " Eligible Activities for the Arohia Seed Grant."*

*A note under the heading ELIGIBLE ACTIVITY EXAMPLES contains the following statement:  
"Callaghan Innovation will only co-fund or fund patent work and patent advice that is provided by a registered patent attorney. This includes advice on the validity of patents and their infringement resulting from FTO/IP scanning search results. We recommend doing due diligence on providers in this space, including taking into account whether they are registered or recognised by any industry body."*

*Would you please provide copies of all internal papers and emails, as well as external correspondence, that relate to the decision to include this wording.*

*Would you also please advise whether your definition of 'patent work' includes drafting and filing patents."*

Please find the document for release enclosed, and our decision on the release of this document, in the document schedule below. Please note that any information deemed out of scope of your request has been removed.

In order to provide you with further context in terms of the information you have requested, we note that the wording was drafted to encourage customers to do due diligence and select legitimate providers to carry out activities funded by the grant. The definition of 'patents work' refers to the legislative definition provided in section 274(10) of the Patents Act 2013.

In accordance with the "public interest" test under section 9(1) of the Act, I do not consider the withholding of this information to be outweighed by other considerations which render it desirable, in the public interest, to make that information available.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā



Brett Calton  
Chief Product Officer  
**Callaghan Innovation**

## Document Schedule

Document name	Document date	Document type	Summary of contents	Release or withhold decision
1. Wording from New2R&d re patent advice	4 April 2023	Email	Discussion of wording in regards advice for customers to undertake <i>due diligence</i> as part of the Arohia Seed Grant application process	Partially withheld under section 9(2)(a) - Privacy