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Who Owns the Knowledge Economy?



# PETER DRAHOS with JOHN BRAITHWAITE

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**Antonios Broumas** 

#### Information Feudalism Who Owns The Knowledge Economy Author Peter Drahos Jan 2007:

A Defense of Intellectual Property Rights Richard A. Spinello, 2009-01-01 The book is well provided with detailed references bibliography for those who want to pursue the matter The authors have effected a very thorough analysis of the moral issues and the book is strongly recommended for that reason Brian Spear World Patent Information This book should change the contours of the intellectual property debate Spinello and Bottis fully appreciate what the standard instrumentalist accounts of intellectual property cannot even acknowledge that the lives and liberty of creators and artists are not the common property of society and that it is intrinsically wrong to treat the efforts and projects of individuals as if they were unowned resources reaped as the fruit of the earth Their work should help to reorient discussion of IP from an excessive concern with the economic and social consequences of competing policies back to the bedrock issues of basic respect for the integrity of our various particular lives and the labor that constitutes those lives At the same time they studiously avoid the unserious extremism that characterizes so much of the debate on every side recognizing that respecting the lives and liberty of all sets real boundaries on the proper scope and stringency of IP claims ruling out overzealous enforcement and radical repudiation alike Richard Volkman Southern Connecticut State University and Research Center on Computing and Society US Since the rise of the Internet the question of intellectual property has been and still is one of the most controversial societal and ethical issues The new global interactive and bottom up medium challenges moral legal and economic structures not only in the music and film industry but also in the field of knowledge production storage distribution and access The academic debate soon became and is still polarized between critics and defenders of IPR The book by Richard A Spinello and Maria Bottis A Defense of Intellectual Property Rights analyses in a critical and comprehensive manner some of the dogmas widely spread by the critics of IPR paying special attention to the differences between EU and European legal regimes The authors explore the foundations of IP in Lockean philosophy as a representative of a natural law approach as well as in the theories of Fichte and Hegel based on deontological arguments Both perspectives prevail in European law while American property law is widely based on utilitarian arguments The authors argue in favor of Lockean and Hegelian foundations showing their relevance in the present debate as well as calling the attention to the link between these theories and the Catholic social doctrine The book is an important contribution to this ongoing debate Rafael Capurro Stuttgart Media University Germany Richard A Spinello and Maria Bottis defend the thesis that intellectual property rights are justified on non economic grounds The rationale for this moral justification is primarily inspired by the theory of John Locke In the process of defending Locke the authors confront the deconstructionist critique of intellectual property rights and remove the major barriers interfering with a proper understanding of authorial entitlement The book also familiarizes the reader with the rich historical and legal tradition behind intellectual property protection **Intellectual Commons and the Law** Antonios Broumas, 2020-11-25 With clarity and sophistication Antonios Broumas presents a bold new theory of intellectual commons

and powerful arguments for a new body of supportive law This book not only reveals the misleading logic of intellectual property law in our time it reveals the rich possibilities for constructive change that legally protected commoning can bring Highly recommended David Bollier Director Reinventing the Commons Program Schumacher Center for a New Economics Liberating the Intellectual Commons from the fetters of capital accumulation and appropriation would give us a renaissance of creative energies and empowered communities exactly what the world needs to move away from the social and ecological devastations of our times This book is a thoughtful and compelling argument for making this possible through the works of the law and the redesign of public domain as a common space Massimo De Angelis Professor of Political Economy and Social Change Co director of the Centre for Social Justice and Change University of East London In this pioneering book Antonios Broumas argues that philosophically morally politically and economically we are in urgent need of a new legal regime that recognizes the intellectual commons peer production and sharing as the primary practices of intellectual production distribution and consumption I cannot imagine a more urgent task today A legally protected intellectual commons will lead to greater scientific and cultural innovation and creativity and will lead to an urgently needed second Enlightenment This book should be read by lawyers critical theorists economists and the many professionals of science culture and the academy Costas Douzinas Professor of Law Birkbeck University of London Antonios Broumas book is an excellent critical analysis of the cultural commons and a must read for everyone interested in understanding what the commons the cultural commons and the digital commons are all about This work brilliantly outlines the foundations of an empirically grounded critical theory of the commons and the cultural commons in the context of the interactions of law and society Christian Fuchs Professor of Media and Communication Studies author of Communication and Capitalism A Critical Theory 2020 Broumas takes us on a spellbinding tour of how and why the law could and should change to accommodate the creative multitude which engages into an emerging mode of production He tells a vibrant story that makes us shout Lawmakers of the world unite Vasilis Kostakis Professor of P2P Governance Tallinn University of Technology Faculty Associate at Harvard Law School At the cutting edge of contemporary wealth creation people form self governed communities of collaborative innovation in conditions of relative equipotency and produce resources with free access to all The emergent intellectual commons have the potential to commonify intellectual production and distribution unleash human creativity through collaboration and democratise innovation with wider positive effects for our societies Contemporary intellectual property laws fail to address this potential We are therefore in pressing need of an institutional alternative beyond the inherent limitations of intellectual property law This book offers an overall analysis of the moral significance of the intellectual commons and outlines appropriate modes for their regulation Its principal thesis is that our legal systems are in need of an independent body of law for the protection and promotion of the intellectual commons in parallel to intellectual property law In this context the author of the book proposes the reconstruction of the doctrine of the public domain and the exceptions and limitations of exclusive

intellectual property rights into an intellectual commons law which will underpin a vibrant non commercial zone of creativity and innovation in intellectual production distribution and consumption alongside commodity markets enabled by intellectual The Copyright Thing Doesn't Work Here Boatema Boateng, 2011 The intersection of Western intellectual property law property law and traditional knowledge in Africa Moral Rights, Creativity, and Copyright Law Sarah Hook, 2023-12-29 This book argues that moral rights provisions in copyright law rest on a misunderstanding or romanticisation of the role of the author The Romantic conception of authorship as a lone genius creating from nothing sensitive and vulnerable has helped publishers push for strong copyright reform But is this conception borne out in practice especially in a world of meme culture of artificial intelligence generated art and poetry and of open source and fan fiction This book probes the romantic vignette of the author through its legal adoption Moral rights are rights that attach to the non economic for example intellectual or emotional interests of an author in their work Much like defamation moral rights see the right of reputation as superior to the right of freedom of expression However unlike defamation moral rights are not protecting against defamatory actions against a person In most jurisdictions they are provisions set within copyright regimes regimes whose purpose is to incentivise innovation Challenging the way we think about authorship and how it should be protected by law the book draws on a wide range of historical and contemporary examples to demonstrate how moral rights can constitute a barrier to transformative creativity While authors and artists require strong rights to protect their ability to earn an income and incentivise creativity moral rights the book argues may in turn actually harm their ability to do so This timely criticism of moral rights will appeal to researchers students policy makers and lawyers working in the area of intellectual property law as well as legal theorists sociolegal scholars and legal historians with relevant interests The State of Copyright Debora Halbert, 2014-02-05 This book seeks to make an intervention into the ongoing debate about the scope and intensity of global copyright laws While mapping out the primary actors in the context of globalization and the modern political economy of information ownership the argument is made that alternatives to further expansion of copyright are necessary By examining the multiple and competing interests in creating the legal regime of copyright law this books attempts to map the political economy of copyright in the information age critique the concentration of ownership that is intrinsic in the status quo and provide an assessment of the state of the contemporary global copyright landscape and its futures It draws upon the current narratives of copyright as produced by corporate government and political actors and frames these narratives as language games within a global political project to define how information and culture will be shared and exchanged in the future The text problematizes the relationship of the state to culture comments on the global flows of culture and critiques the regulatory apparatus that is in place to commodify culture and align it with the contemporary nation state In the end the possibility of non commodified and more open futures are explored The State of Copyright will be of particular interest for students and scholars of international political economy law political science

anthropology sociology cultural studies library sciences and communication studies It also will appeal to a growing popular audience that has taken an interest in the issues of copyright Information Feudalism Peter Drahos, John Braithwaite, 2017-09-25 New intellectual property regimes are entrenching new inequalities Access to information is fundamental to the exercise of human rights and marketplace competition but patents are being used to lock up vital educational software genetic and other information creating a global property order dominated by a multinational elite How did intellectual property rules become part of the World Trade Organization's free trade agreements How have these rules changed the knowledge game for international business What are the consequences for the ownership of biotechnology and digital technology and for all those who have to pay for what was once shared information Based on extensive interviews with key players this book tells the story of these profound transformations in information ownership The authors argue that in the globalized information society the rich have found new ways to rob the poor and shows how intellectual property rights can be more democratically defined Food, Health and the Knowledge Economy Valbona Muzaka, 2017-10-24 This book opens a window into how two ambitious countries India and Brazil are seeking to become knowledge powers in the 21st century As the knowledge economy became the preferred way of conceptualising the economy and its future direction in the more economically advanced countries our search for understanding also followed the same direction This generated a body of work that has neglected countries that like India and Brazil are attempting to make the leap into knowledge economies Muzaka explores these motivations and the ways in which they have inspired a number of institutional reforms in India and Brazil The author offers an investigation of the role the state in shaping the respective intellectual property systems pertaining to the pharmaceutical and agro biotechnology sectors and the multiple social conflicts that have unfolded as a Freedom of Culture Jorinde Seijdel, 2007 The contemporary public domain the free space where culture is result produced and exchanged is under pressure The exchange and distribution of cultural products content in the form of music image or text is easier in digital society but increasingly hemmed in by corresponding moves towards greater regulation and control new copyright laws and intellectual property policy Instead of enjoying a free culture we are watching the emergence of what Lawrence Lessig calls a permission culture Simultaneously as an aspect of broader privatization and regulation processes private entities are appropriating more and more of public culture and deciding what is made available or publicly accessible This issue of the Dutch architectural journal Open investigates the root causes of these developments how they interrelate and what the implications are for the free production and practice of culture as well as for the internal dynamics and balance of power in the public domain Who owns the knowledge economy? Peter Drahos, John Braithwaite, 2004

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