

The Charter on Intellectual Property Steering Group First Meeting 19 September 2004

The first meeting of the Steering Group was held at the RSA in London on 19 September 2004. The meeting focussed on three topics: (1) the purpose of the Charter, (2) research, and (3) how to maximise the Charter's impact.

Several members suggested that the Charter's purpose was a question of public interest, justice and governance. The issue of governance relates not only to specialised IP matters but also to human rights, culture, education, science, health and development. Therefore, our prime targets are governments and policy-makers. At the global level, we should address the United Nations itself (rather than one of the specialised agencies). Our aim is to position ourselves so that the UN regards the Charter as an expression of civil society that requires further action.

Members discussed the Research Brief. We decided to continue to use the generic term 'intellectual property' although many important points are specific to one system (eg, copyright or patents). It is useful shorthand. We also agreed to restrict ourselves to copyright, patents and trademarks and exclude other forms of IP.

We decided to research the 'creative process' in critical areas and to ask how it should be organised to optimise the 'public interest'. By this we mean:

- how to encourage and sustain creativity
- how to maximise access to the subsequent ideas, knowledge and understanding

We selected the following areas because they (a) are prime areas of public concern, (b) illustrate the public interest in operation and/or (c) are controversial:

- culture/music online
- medicine/drugs
- collections, museums, libraries
- academic & scientific publishing
- R&D
- agriculture and traditional knowledge
- development and trade
- software

We will contact people to write or contribute ideas on each topic. All offers/suggestions are welcome.

We will commission a paper to provide an intellectual underpinning to the Charter. This will provide an overview of the purposes of IP and analyse its elements. It will, for example, make distinctions between the novelty implied by artistic worth and the novelty found in industrial innovation.

We will look at international governance.

We will look at the public interest: how the concept has developed in other areas of public policy and how it has developed in intellectual property. Can the former help us to understand and promote the latter?

We will commission a search of existing charters and declarations of human rights and free speech.

One of the main themes of the discussion was the difference between the rights-based' approach to IP, based on human/moral rights, and the utilitarian approach based on economic efficiency. We propose to hold a debate on this early in 2005.

It was suggested we hold an open seminar in March to coincide with the March meeting of the steering group. The seminar would be an opportunity for us to present Charter thinking and to hear people's views. We are talking to organisations who might be a partner with us.

We are talking to universities who have graduate students or research associates who are interested in doing research on the Charter. At the moment we are talking to three UK universities. If anyone outside the UK knows of someone who might be interested, please let us know.

It was suggested we put drafts of the Charter up on the website. We want to use the website to publicise it and include a wide range of views, and we will be looking at the best way to do this.

The next meeting of the Steering Group will be on 18 March 2005.