Number	LANCS-D4.3-RN-Ownership	A-PI--

Title	Research Note (RN) for D4.3
Subtitle	Issues in Focus : **Ownership**

PROBLEM		SOLUTION	

Research Note	X	Selected Annotation	

Categories: | | |

Summary:

This note takes the example of developments in the publishing, entertainment and software industries regarding the use of online applications to share files for free. It questions the legitimacy of aggressive industry effort to protect intellectual property rights.

CONTEXT

ICTs are a challenge to corporate enterprise, for example, in the music and film industries. The problem is posed as an intellectual property rights issue. The idea is that ICTs make it increasingly more easy for people to share digital objects for free. Even when no one is making money of it, such practices are frowned upon and targeted for punishment.

FACTS

The pressure from corporate enterprise in the entertainment and publishing industries has come under criticism for disproportionate greed (even hypocrisy), whereby industry interests are less focused on protecting the rights of persons to their intellectual property, than protecting the products for significant economic gains in industry investment. Software development has lead the way here in cultivating a free-for-fair use atmosphere (Key readings include, European Commission, 2010; ISTAG, 2003; ISTAG, 2006; Raymond, 1998; Harnad, 1991; Digital Agenda for Europe 2010-2020). The argument can be made that ICTs should significantly lower the cost of obtaining a copy of a digital product for non-commercial use, and in some instances there is a case for a completely free distribution.

COMMENT

If the current practices of corporate enterprise are seen as legitimate and belonging to the pillar of society that is respect for ownership, then ownership itself is significantly challenged already by the proliferation of simple file-sharing applications operating over the internet. There is no indication however, that ICTs necessarily spell the end of ownership. This applies to the entertainment industry as well as to software development and the sharing of scientific results and information on matters of public interest. Rather, the indication is that the services of industry have less to offer than before, that production, promotional and distribution costs have radically decreased, and that end-users ought to benefit rather than corporate enterprise.

In other words, unquestioned rights to intellectual property (and benefits from that property) need serious reviewing. Future rights to digital property will require re-negotiations of economic and business models instead of the uncritical reactions of law-makers and law enforcement to protect vested corporate interests.