

Global Intellectual Property Rights

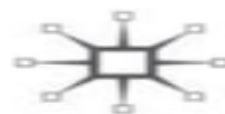
**Knowledge,
Access and
Development**

Edited by

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Global Intellectual Property Rights Knowledge Access And Development

Yijun Tian



Global Intellectual Property Rights Knowledge Access And Development:

Global Intellectual Property Rights P. Drahos, R. Mayne, 2002-10-31 Intellectual property rights such as patents can reduce access to knowledge in genetics health agriculture education and information technology particularly for people in developing countries *Global Intellectual Property Rights* shows how the new global rules of intellectual property have been the product of the strategic behaviour of multinationals rather than democratic dialogue The final section of the book suggests strategies aimed at developing more flexible standard for poor countries and for keeping knowledge in the intellectual commons

Law, Knowledge, Culture Jane E. Anderson, 2009-01-01 Combining unique practical experience with a sophisticated historical and theoretical framework this impressive work offers a new basis to explore indigenous intellectual property In this wide ranging and imaginative study Anderson has laid the groundwork for future scholarship in the field Hopefully this work will set a new trajectory for how this important topic is approached and advanced with indigenous people

Brad Sherman University of Queensland Australia This informative book investigates how indigenous and traditional knowledge has been produced and positioned within intellectual property law and the effects of this position in both national and international jurisdictions Drawing upon critical cultural and legal theory Jane Anderson illustrates how the problems facing the inclusion of indigenous knowledge resonate with tensions that characterise intellectual property as a whole She explores the extent that the emergence of indigenous interests in intellectual property law is a product of shifting politics within law changing political environments governmental intervention through strategic reports and innovative instances of individual agency The author draws on long term practical experience of working with indigenous people and communities whilst engaging with ongoing debates in the realm of legal theory Detailing a comprehensive view on how indigenous knowledge has emerged as a discrete category within intellectual property law this book will benefit researchers academics and students dealing with law in the fields of IP human rights property and environmental law It will also appeal to anthropologists sociologists philosophers and cultural theorists

Intellectual Property and Development Rami M. Olwan, 2013-03-15 The book examines the correlation between Intellectual Property Law notably copyright on the one hand and social and economic development on the other The main focus of the initial overview is on historical legal economic and cultural aspects Building on that the work subsequently investigates how intellectual property systems have to be designed in order to foster social and economic growth in developing countries and puts forward theoretical and practical solutions that should be considered and implemented by policy makers legal experts and the World Intellectual Property Organization WIPO

Intellectual Property Rights and Food Security Michael Blakeney, 2009-01-01 Intellectual Property Rights IPRs play an important role in the struggle for food security and encouraging agricultural research and development This book examines these roles as well as the international relationship between IPRs agricultural biotechnology access to biological resources food security and globalisation paying particular attention to proposals for the protection of Farmers Rights traditional

knowledge GM crops and the impact of competition laws It proposes a number of recommendations for action in deploying IPRs in order to reach greater food security globally *The Global Political Economy of Intellectual Property Rights, 2nd ed* Christopher May, 2015-04-10 The first edition established itself as one of the leading books to situate the issue of intellectual property within the discipline of International Political Economy IPE Since its publication intellectual property has continued to rise up the global agenda reflecting expanding interest in the area among policy makers and advocacy groups linked to the increasingly fraught politics of the global governance of IPRs Significantly revised and updated to take account of developments within the World Trade Organization and the World Intellectual Property Organization this edition incorporates the author's recent research on IPRs It retains the theoretical and analytical elements of the first edition whilst offering students and researchers a detailed analysis of how intellectual property is politically constructed and how it is linked to the economics of knowledge and information in the contemporary global political economy Rapidly developing issues addressed in the work include arguments around the implementation of the Agreement on Trade Related Aspects of IPRs TRIPS the WIPO Development agenda and the resistance to socialization programmes the AIDS crisis and the pharmaceutical industry Digital Rights Management This book will be of interest to students and researchers of international political economy international relations and intellectual property law *Re-thinking Intellectual Property* YiJun Tian, 2008-08-20 Copyright laws along with other Intellectual Property Rights IPRs constitute the legal foundation for the global knowledge based economy and copyright law now plays an increasingly important role in the creation of business fortunes the access to and dissemination of knowledge and human development in general This book examines major problems in the current IPR regime particularly the copyright regime in the context of digitization knowledge economy and globalization The book contends that the final goals of IP law and policy making are to enhance the progress of science and economic development and the use and even distribution of intellectual resource at the global level By referring to major international IP consensus recent developments in regional IP forums and the successful experiences of various countries YiJun Tian is able to provide specific theoretical policy and legislative suggestions for addressing current copyright challenges The book contends that each nation should strengthen the coordination of its IP protection and development strategies adopt a more systematic and heterogeneous approach and make IP theory policy specific legal mechanisms marketing forces and all other available measures work collectively to deal with digital challenges and in a way that contributes to the establishment of a knowledge equilibrium international society *Global Matters for Non-Governmental Public Action* J. Howell, 2012-09-24 Jude Howell brings together eight in depth studies of the politics of global non governmental public action Covering detailed empirical research around the themes of environmentalism security children's rights and more the contributors explore the complex politics amongst non governmental public actors acting transnationally *Intellectual Property in Asian Emerging Economies* Assafa Endeshaw, 2016-05-23 This book critically reviews the

recurrent debate on Intellectual Property law and policy in developing countries carried out in the last decade It identifies the still unresolved policy issues and proposes alternative approaches that resonate with the needs for transformation of the economic and social reality of developing countries Focusing on emerging economies in Asia the work draws the wider lessons to be learnt by researchers policy makers legislators and the business sector in general and concludes by putting forward proposals for reform

Dynamic Fair Dealing Rosemary Coombe,Darren Wershler,Martin Zeilinger,2014-05-27 Dynamic Fair Dealing argues that only a dynamic flexible and equitable approach to cultural ownership can accommodate the astonishing range of ways that we create circulate manage attribute and make use of digital cultural objects The Canadian legal tradition strives to balance the rights of copyright holders with public needs to engage with copyright protected material but there is now a substantial gap between what people actually do with cultural forms and how the law understands those practices Digital technologies continue to shape new forms of cultural production circulation and distribution that challenge both the practicality and the desirability of Canada s fair dealing provisions Dynamic Fair Dealing presents a range of insightful and provocative essays that rethink our relationship to Canadian fair dealing policy With contributions from scholars activists and artists from across disciplines professions and creative practices this book explores the extent to which copyright has expanded into every facet of society and reveals how our capacities to actually deal fairly with cultural goods has suffered in the process In order to drive conversations about the cultural worlds Canadians imagine and the policy reforms we need to realize these visions we need Dynamic Fair Dealing

The Global Governance of Knowledge Creation and Diffusion Helge Hveem,Lelio Iapadre,2012-02-27 There is an increasing scientific and political sensibility for questions regarding the governance of a knowledge society and the societal benefits and problems of a knowledge economy The Global Governance of Knowledge provides a survey and analysis of international agreements and institutions global and regional which regulate the creation and dissemination of knowledge The volume utilises case studies and a comparative country thematic approach to provide a comprehensive survey of the regulation and governance of knowledge flow research and innovation By identifying activities creating new knowledge such as education and migration it demonstrates how knowledge regulation and diffusion works in practice and policy The book will be of interest to students and scholars of globalization international relations and policy regulation

The Right to Food and the TRIPS Agreement Hans Morten Haugen,2007 This volume analyses relationships between patent rights and human rights focusing on the right to food Whether the TRIPS Agreement and the International Covenant on Economic Social and Cultural Rights actually conflict is analyzed through different techniques of assessing treaty conflict

The Oxford Handbook of Intellectual Property Law Rochelle C. Dreyfuss,Justine Pila,2018-04-12 We live in an age in which expressive informational and technological subject matter are becoming increasingly important Intellectual property is the primary means by which the law seeks to regulate such subject matter It aims to promote innovation and creativity and in doing so to support solutions to

global environmental and health problems as well as freedom of expression and democracy It also seeks to stimulate economic growth and competition accounting for its centrality to EU Internal Market and international trade and development policies Additionally it is of enormous and increasing importance to business As a result there is a substantial and ever growing interest in intellectual property law across all spheres of industry and social policy including an interest in its legal principles its social and normative foundations and its place and operation in the political economy This handbook written by leading academics and practitioners from the field of intellectual property law and suitable for both a specialist legal readership and an intelligent but non specialist legal and non legal readership provides a comprehensive account of the following areas The foundations of IP law including its emergence and development in different jurisdictions and regions The substantive rules and principles of IP and Important issues arising from the existence and operation of IP in the political economy

Constructing Intellectual Property Alexandra George, 2012-03-12 This book examines the way in which this important area of law is constructed by the legal system *A Possible World* Heikki Patomäki, Teivo Teivainen, 2004-10

Trade Related Aspects of Intellectual Property Rights Carlos Correa, 2020-07-23 The TRIPS Agreement is the most comprehensive and influential international treaty on intellectual property rights It brings intellectual property rules into the framework of the World Trade Organization obliging all WTO Member States to meet minimum standards of intellectual property protection and enforcement This has required massive changes in some national laws particularly in developing countries This volume provides a detailed legal analysis of the provisions of the TRIPS Agreement as well as elements to consider their economic implications in different legal and socio economic contexts This book provides an in depth analysis of the principles and of the substantive and enforcement provisions of the TRIPS Agreement the most influential international treaty on intellectual property currently in force It discusses the legal context in which the Agreement was negotiated the objectives of their proponents and the nature of the obligations it created for the members of the World Trade Organization In particular it examines the minimum standards that must be implemented with regard to patents trademarks industrial designs geographical indications copyright and related rights integrated circuits trade secrets and test data for pharmaceutical and agrochemical products

Trade Related Aspects of Intellectual Property Rights A Commentary on the TRIPS Agreement elaborates on the interpretation of provisions contained in said Agreement in the light of the customary principles for the interpretation of international law The analysis which is supported by a review of the relevant GATT and WTO jurisprudence identifies the policy space left to such members to implement their obligations in accordance with their own legal systems and public policy objectives including in respect of complex issues such as patentability criteria compulsory licenses exceptions and limitations to copyright border measures injunctive relief and the protection of test data under the discipline of unfair competition

Contesting World Order? Joe Wills, 2017-04-13 What do equality dignity and rights mean in a world where eight men own as much wealth as half the world's population Contesting

World Order Socioeconomic Rights and Global Justice Movements examines how global justice movements have engaged the language of socioeconomic rights to contest global institutional structures and rules responsible for contributing to the persistence of severe poverty Drawing upon perspectives from critical international relations studies and the activities of global justice movements this book evaluates the counter hegemonic potential of socioeconomic rights discourse and its capacity to contribute towards an alternative to the prevailing neo liberal common sense of global governance

Conflicts in the Knowledge Society Sebastian Haunss, 2013-04-11 Sebastian Haunss demonstrates how intellectual property conflicts have brought about new cleavages in the knowledge society and new collective actors *The Rise and Fall of Neoliberalism* Doctor Kean Birch, Doctor Vlad Mykhnenko, 2013-07-18 The recent devastating and ongoing economic crisis has exposed the faultlines in the dominant neoliberal economic order opening debate for the first time in years on alternative visions that do not subscribe to a free market ethic Bringing together the work of distinguished scholars and dedicated activists *The Rise and Fall of Neoliberalism* presents critical perspectives of neoliberal policies questions the ideas underpinning neoliberalism and explores diverse responses to it from around the world

Intellectual Property Rights and Competition Law in India Rajni Malhotra Dhingra, Nisha Dhanraj Dewani, 2024-08-12 This book explores the relationship between intellectual property law and competition law proposing a harmonious equilibrium in the dynamic landscape of evolving technology It explores how intellectual property rights IPR can be effectively balanced with competition law considerations offering insights into navigating the evolving intersection of legal frameworks in the realm of technology and innovation In the rapidly evolving landscape of India s legal framework the intersection of IPR and competition law has become a critical focal point This book dissects the regulatory landscape offering a thorough analysis of India s competition law and its application in conjunction with patent copyright trademark blockchain technologies computer software artificial intelligence and more Covering landmark legal decisions precedents and emerging trends that shape the balance between fostering innovation and preventing anticompetitive practices the book also uses case studies involving WhatsApp Vs CCI and Vidya Drolia case Focusing on India but with lessons for a global audience the book brings together contributions from experts across disciplines to promote innovative solutions to balancing IP and competition law with technological advancements The book will be of interest to researchers in the field of the law of emerging technologies IP law and competition law

The Implementation Game Carolyn Deere, 2011-06-16 With the launch of the World Trade Organization WTO in 1995 its Agreement on Trade Related Aspects of Intellectual Property Rights TRIPS emerged as a symbol of coercion in international economic relations In the decade that followed intellectual property became one of the most contentious topics of global policy debate This book is the first full length study of the politics surrounding what developing countries did to implement TRIPS and why Based on a review of the evidence from 1995 to 2007 this book emphasises that developing countries exhibited considerable variation in their approach to TRIPS implementation In particular developing countries took varying

degrees of advantage of the legal safeguards and options commonly known as TRIPS flexibilities that the Agreement provides. To explain this variation this book argues that TRIPS implementation must be understood as a complex political game played out among developing country governments and a range of stakeholders developed countries non governmental organisations NGOs intergovernmental organisations IGOs and industry groups. The contested nature of the TRIPS bargain spurred competing efforts to revise the terms of TRIPS and to influence global IP regulation more broadly. The intensity of the implementation game was amplified by an awareness among the various stakeholders that the IP reforms developing countries pursued would influence these ongoing international negotiations. The book attributes the variation in TRIPS implementation to the interplay between these global IP debates international power pressures and political dynamics within developing countries. The book includes historical analysis compilations of evidence and analysis supported by examples from across the developing world. The Implementation Game will be of interest both to scholars of international relations law and international political economy as well as to policymakers commentators and activists engaged in debates on the global governance of intellectual property.

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