

IP Globalization? What would the consequence be?

Panel Discussion for Day 1

August 24, 2015

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Who is he?

(photo: google.image)



Prof. Joseph E. Stiglitz

The famous Nobel Prize Winner (in economics, 2001) concerns:

- Without the protection of IPRs, incentive for creative activities will be lessened.
- The current IPR system is costly.
- Ideas are an important element for research. If the use of ideas is regulated by IPRs, the progress of science will be disturbed.
- This is the reason why mathematical theories and natural laws are excluded from the statutory subject matter.

And, also

Prof. Stiglitz points out:

- Even if IPR protection is not available, open source movements can produce not only basic software but also products with commercial values. →see, LINUX
- IPR protection can disturbs diffusion of ideas and its holder claim high remedies in a competitive environment.
- IPR promoters may argue that such inefficiencies can be cured if innovation is accelerated.
- But, the excessive protection and inadequate cope of IPR actually disturbs innovation.

What he proposes:

- A framework which really contribute to innovation.
 - It is not efficient to limit the use of knowledge under the IP system.
 - Research is focused on products for a better life than drugs and foods which are needed in developing countries for human lives.
- Establishment of a new scheme to supply less expensive drugs and medicines.
 - New award system for new drugs. Unlike the present patent system, it will not assure a monopoly for achievement.

What EPO foresees in:

(photo: EPO web.)



What scenarios?

- Targeting the year 2025, EPO foresees four different types of IP framework.
 - 1) Market Rules
 - 2) Whose Games ?
 - 3) Trees of Knowledge, and
 - 4) Blue Skies

1) Market Rule

- Industry is the main driver of economy.
 - Patent system is still utilized. Eligible subject matters expand. Patent filings will increase to cause stagnated examination at the Patent Office.
 - In 2020, the Pacific Ocean Charter will be in effect. Agreement will be made on languages and database for patents under the US initiatives.
 - In 2021, EU will agree to the Community Patent to introduce the World Patent system.
 - In 2025, patents will be important assets, attracting attention of investors. Licensing will be a big market.

2) Whose Games?

- Countries in the South is the driver of economy.
 - Traditionally, license fees went to the West. But market has shifted to Asia.
 - Knowledge-based economy will lose its initiative and research in Asia run smoothly and independently.
 - In 2025, the patent system will fail in several fields of technologies. Alternative mechanisms shall be sought.
 - Drugs and medicines will seek own scheme for their protection. Business will shift to Asia more dynamically as ever.

3) Trees of Knowledge

- Society is the main driver of economy.
 - In 2018, gene-manipulated crops will cause serious disasters by insects and market instability. The Central government will decide to regulate agro-business.
 - In the ITC industry, industry will start recognize the adverse effect of patents against innovation.
 - In 2020, entertainment industry will be a minor industry. Gene manipulation will gradually a miner issue.
 - In 2025, the patent protection will be abolished in particular fields. Copyright will be modified significantly. Trademark, Design, GI (geographical indication) will be regarded valuable for innovation.

4) Blue Skies

- Technology is the main driver of economy.
 - In US, natural disasters will continue more than ever. US Congress will decide to urge the President to take serious measures to preserve the natural environment.
 - US President will call for the development of delivery and transfer of hydrogen-based energy by 2022.
 - In 2015, patents relating to fuel cells will exceed the number of 18,000. This will cause a “thicket” of patents.
 - Presence of patent-assertion entities (PAE) or patent troll makes the matter worse.