

UNSW



Faculty of Law
Continuing Legal Education

SEMINAR: 'Commons' and Public Rights in Intellectual Property

Date: Friday 11 and Thursday 12 May 2007

Time: 9am-5pm

Rm 101, Law Building, UNSW (map: www.facilities.unsw.edu.au/maps/kensington.pdf)

I would like to attend Commons and Public Rights in Intellectual Property on:

Friday 11 & Saturday 12 May 2007 [] \$550 GST inc.

Friday 11 May 2007 [] \$352

Saturday 12 May 2007 [] \$352

Title: First Name: Last Name:

Occupation:
.....

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Cost GST inc: \$550 for 2 days or \$352 for one day

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Papers: No papers are available separately from attendance on the day
Privacy note: The information you provide on this form will only be used by UNSW to distribute information about University courses and activities to you.

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'Commons' and Public Rights in Intellectual Property
UNSW Law Faculty 11-12 May 2007

Program

<http://www2.austlii.edu.au/commons/>

This two-day intensive course hosted by the UNSW Law Faculty's Cyberspace Law and Policy Centre and the Centre for Continuing Legal Education investigates a new area of intellectual property studies: the role of public rights (now often referred to as 'commons') and the public domain in IP (particularly in copyright, but also in patent law and other areas of IP). Although copyright law and practice is usually seen as concerning private (proprietary) rights in works, public rights in intellectual property are of vital importance to both innovation and democracy in Australia. The course will cover theories of the roles of public rights and their place in existing legislation, a detailed examination of the growth of licensing to create open content (such as Creative Commons and AShareNet's 'Free For Education' and other licences), the role of public rights and open content in new business models, and the technical and policy infrastructures being developed to expand the creation and use of these public rights. The course will examine the particular position of Australia's public domain in relation to a broader international commons, and the significance of commons to the national cultural estate.

This high-level course is suited to academics, post-graduate students, researchers and lawyers with prior knowledge of intellectual property and its relationship to public rights.

The course will be coordinated by Professor Graham Greenleaf, and will also include contributions by various of the investigators involved in the 'Unlocking IP' Research project <<http://www.cyberlawcentre.org/unlocking-ip/>> based at the Faculty's Cyberspace Law & Policy Centre.

The course will give attendees a unique insight into evolving research and scholarship in one of the most innovative areas of current intellectual property studies.

*Note: The session information below is subject to change.
For the latest session information please refer to <http://www2.austlii.edu.au/commons/>*

Friday 11 May 2007
9am- 5pm

Session 1: Analysing public rights (1) – Theories of commons: What does the 'commons' include? Terminology relating to 'commons', theories that have influenced the 'commons' and the modern origins of practical attempts to re-invent digital commons. National and international commons.

Session 2: Analysing public rights (2) – Elements of commons and their limits: Statutory public rights such as compulsory licenses and 'fair use'. The limits of copyright, the effect of patents on the commons, and the effect of anti-circumvention laws. 'De facto' commons.

Session 3: Voluntary licensing creating public rights (2) Software and Standards: History and development of free and open source software (FOSS) and the implications of GPLv3. Open standards.

Session 4: Critiques of commons theories and practice: The digital divide (international dimensions) and indigenous rights.

Saturday 12 May 2007
9am- 5pm

Session 5: Voluntary licensing creating public rights (1) open content: Main licenses available, survey of their features and comparisons. Crown copyright and public sector information. Issues such as consistency, simplicity, effectiveness and the implications of licensing.

Session 6: Business models based on commons content: Yochai Benkler's 'commons-based means of production'. Roger Clarke's typology of business models.

Session 7: Accessibility of commons – Finding works with public rights: Tools which can be used to access the commons, and methods by which the commons can be measured.

Session 8: Incentives and requirements to expand public rights: Incentives and voluntary measures. Legislation to enhance and protect the public domain. Case study of legal scholarship repositories.

