

# Making an Open Information Age

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About Me

# Summary

1. Entering an information age
2. This age **can** and **should** be open
3. How will it work
4. The need for action

# A World of Open Information

All public, non-private, information is **open**

*and*

Creators and innovators are recognised and rewarded

*All research, all music, all software,  
all drug formulae ...*

*is open*

*=*

*freely available for anyone to use, share and build on.*

# Fairy Story







A catch ...

*there's always a catch*



# The Witches



This is our house and  
our gingerbread ...

Why not share  
the magical gingerbread  
with everyone?

After all its possible — and that way no child need ever go  
hungry again!

A magical world

(aka information age)

=>

Exclusive rights have a cost:  
someone goes hungry who need not!

(information: someone goes ignorant who need not)

Not so in “old” physical world of bread and cars ...

Witches' objections



# Nice Witch

Magical R&D is not cheap — you have no idea what nightshade costs nowadays.

Of course I want you to eat but we need money to develop new recipes — you can't eat gingerbread forever. If we give our gingerbread away for free we won't be able to fund those new efforts.

(Plus we still need to pay off the student loans we took out to get our first class magical education — Hogwarts has become incredibly expensive since the Ministry of Magic cut back on funding post Dumbledore)

# Nasty Witch

We built up this gingerbread business. It's the fruit of our hard labour and we are entitled to get rich off it — we don't want to slave away over hot cauldrons forever and we've got an eye on a nice enchanted castle.

If we start giving you freebies we'd undermine all our other customer relationships — it's just too bad if you starve (and you could stop scrounging and get a job)!

And don't think about trying to compete with us: if you do we'll get the Prince to put you out of business — he promised us exclusivity as long as we supply all his midnight feasts.

# How to implement open?

*1. economically & legally*

*How do you pay for the “first copy”?*

*2. politically*

*How do you overcome the vested interests?*

Nice Witch  
Answered

# The Open Model

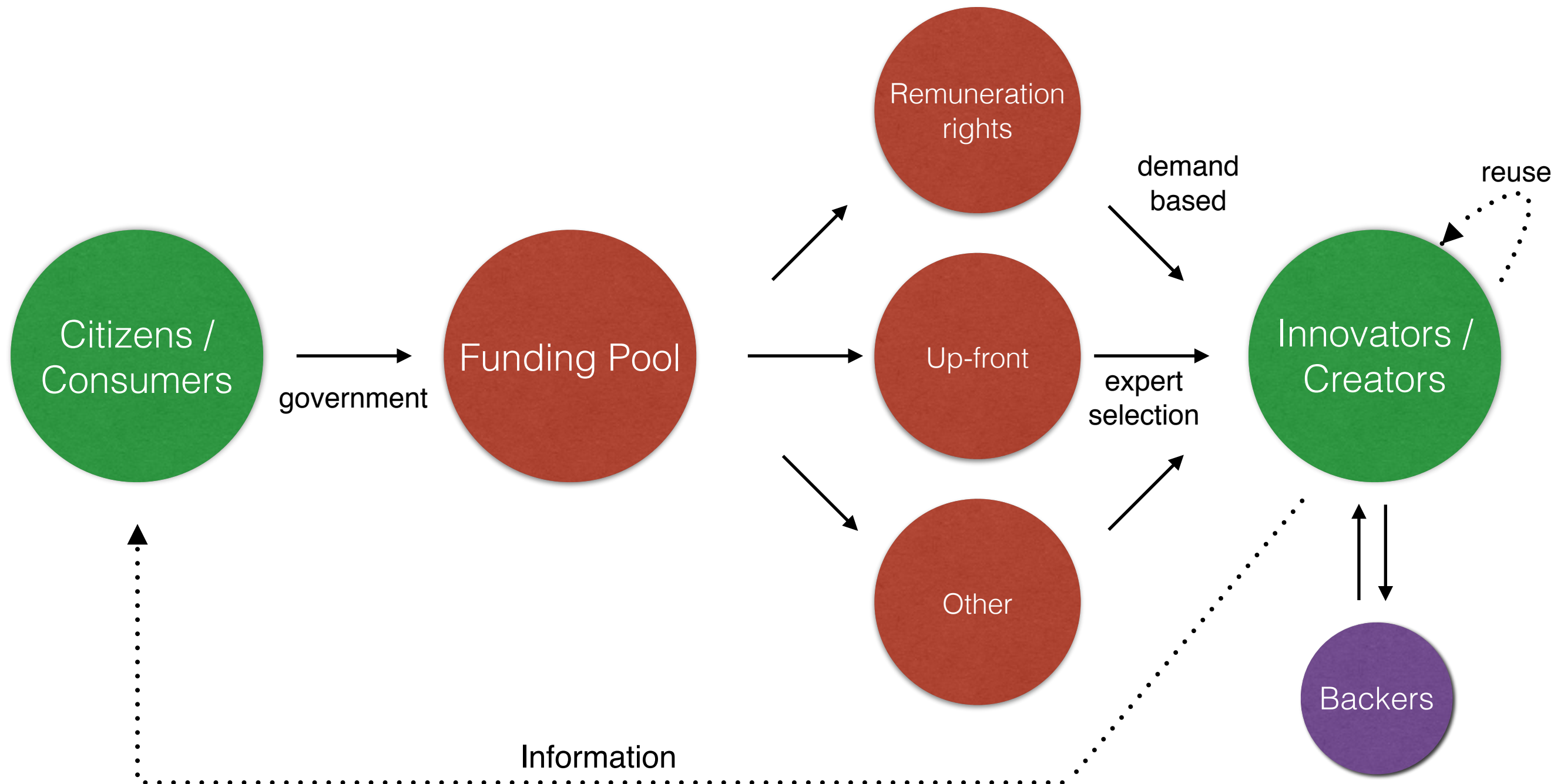
- Open Business - “ketchup and fries” model
  - Give away fries and sell ketchup or vice-versa
- Philanthropy - large or small (Gates to Wikipedia)
- State - government coordinated collection



# The Open Model

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- **State - government coordinated collection**

# The Open Model



# Remuneration Rights

Right to remuneration from a common pool on a transparent and pre-defined basis (in proportion to use).

Ownable, tradeable rights just like IP but without the monopoly.

Already have multiple real examples e.g. compositions.

Government coordinated collection of  
funds

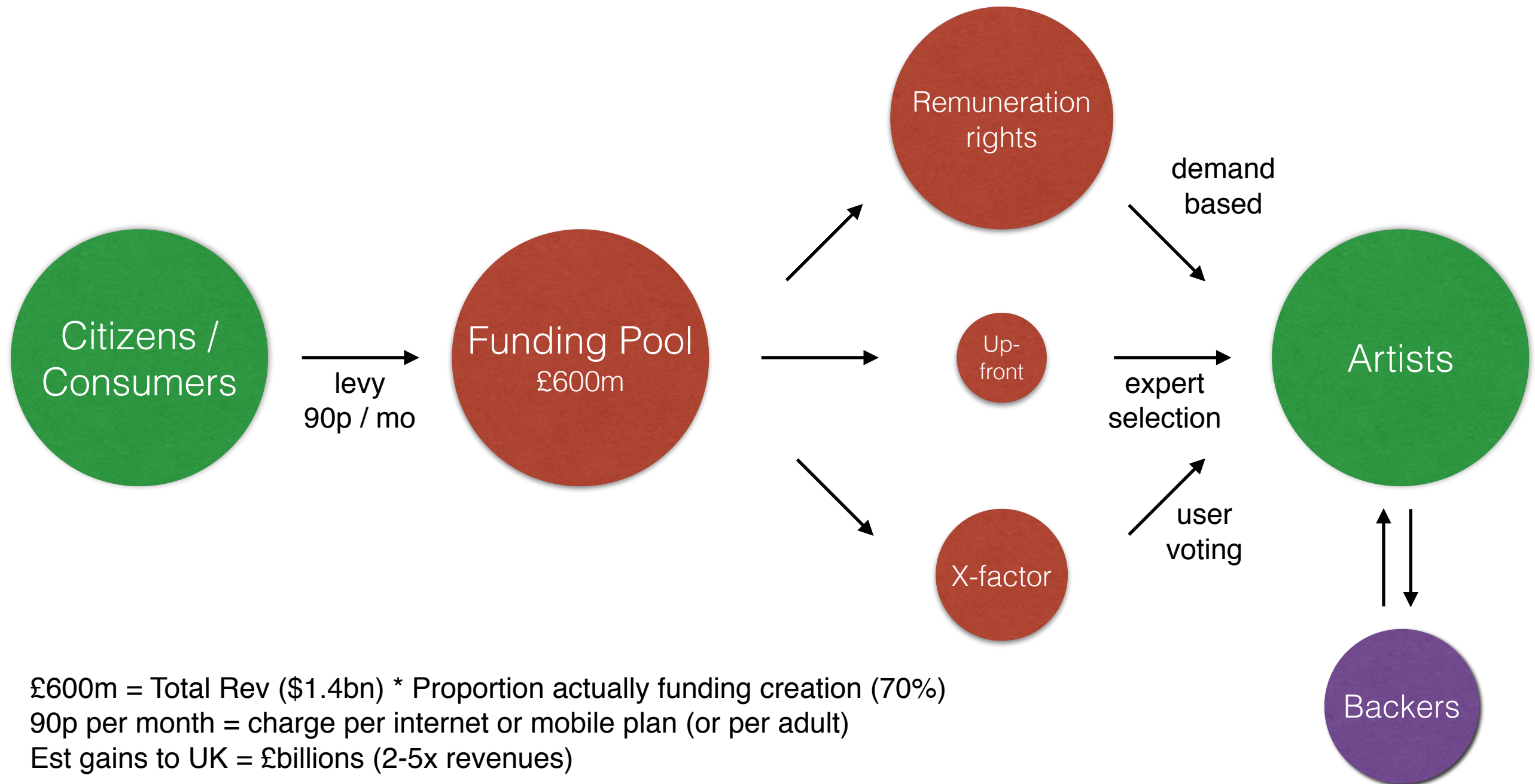
(solves free-rider problem)

+

Non-gov disbursement especially  
demand-based

(retains demand signals, market mechanisms, capital markets etc)

# Music





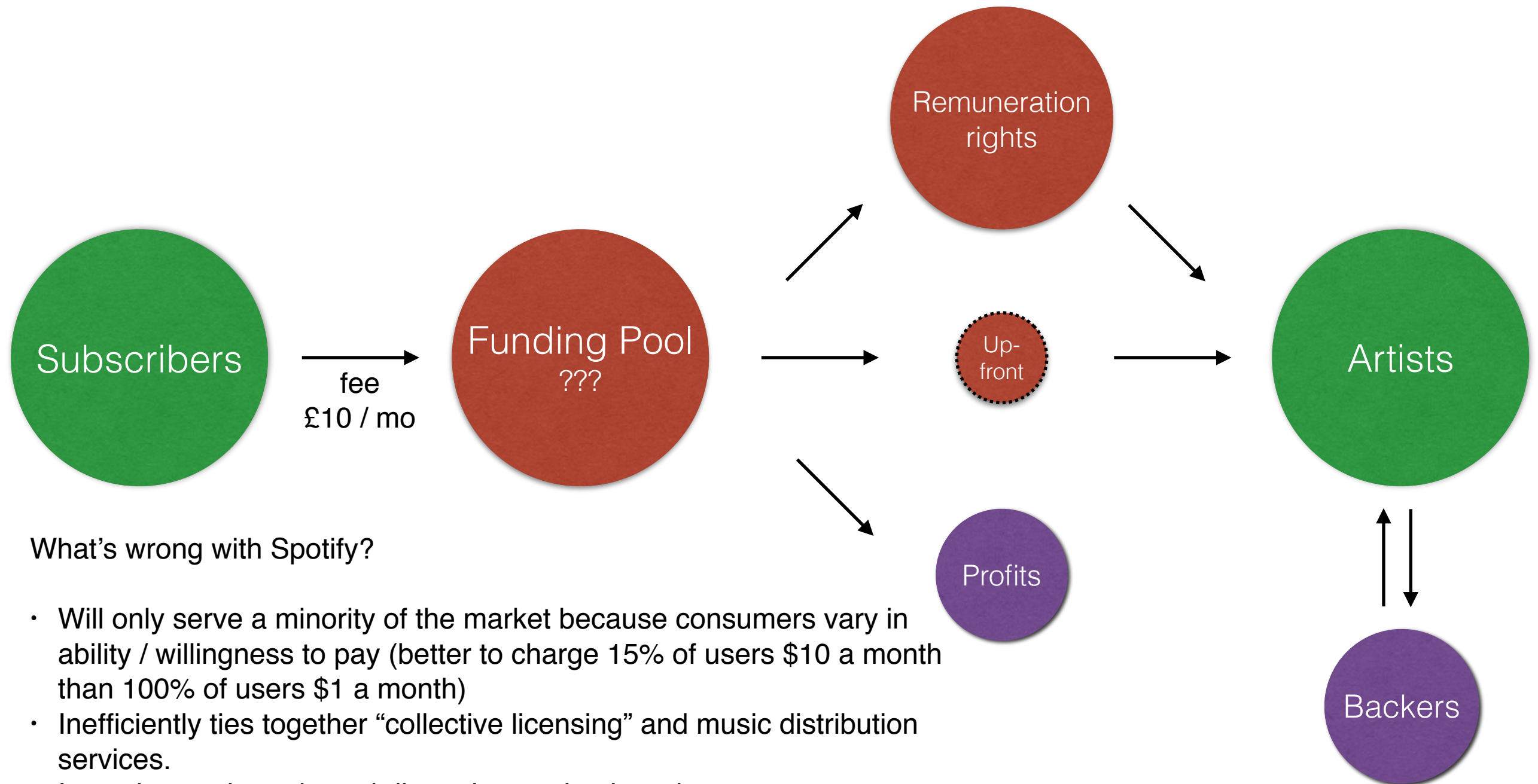
Open music

=

less than £1/mo on your Internet bill

# Spotify

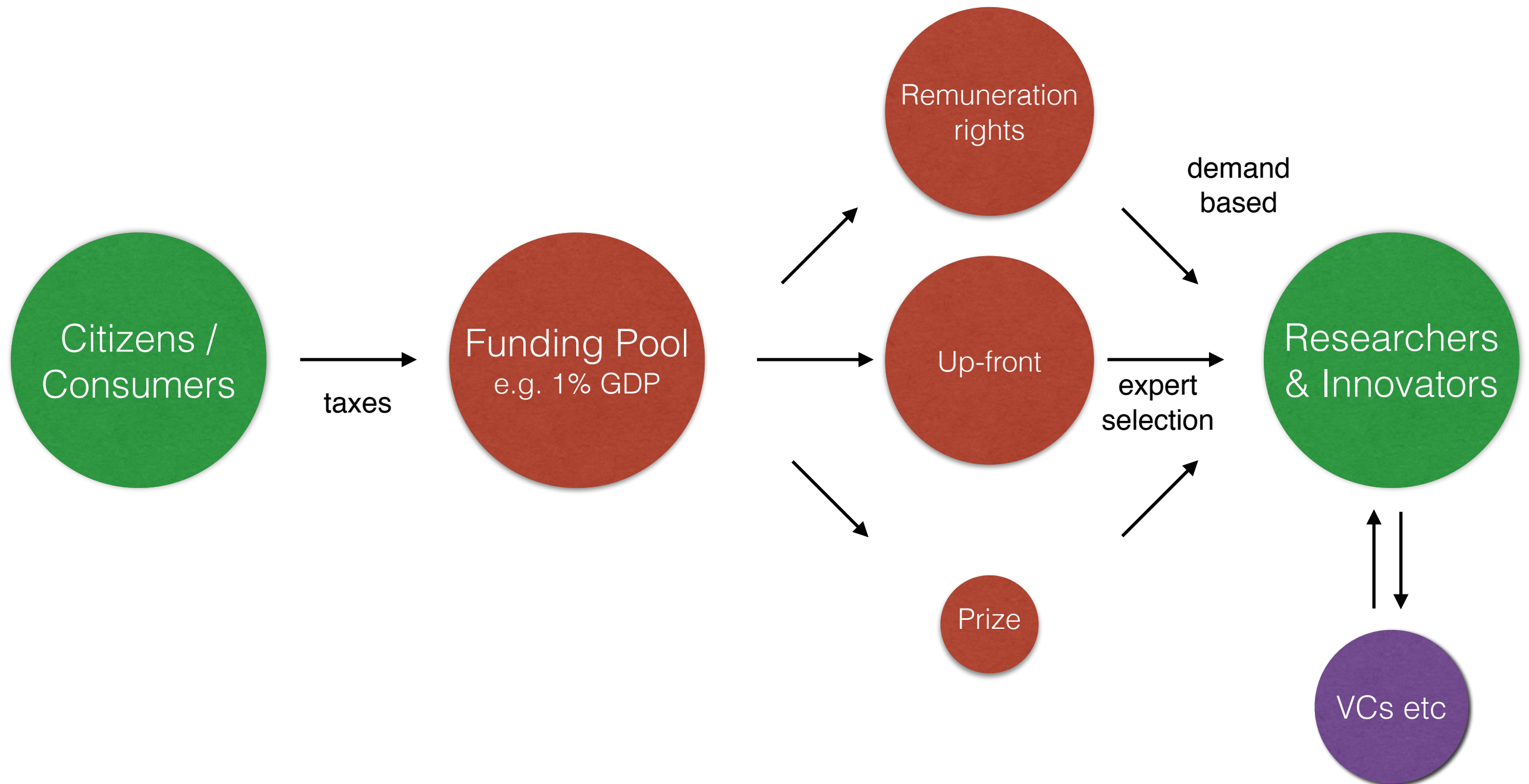
Existence proof of the model ...



What's wrong with Spotify?

- Will only serve a minority of the market because consumers vary in ability / willingness to pay (better to charge 15% of users \$10 a month than 100% of users \$1 a month)
- Inefficiently ties together “collective licensing” and music distribution services.
- Incentives to impede and distort innovation in order to preserve market position
- Major potential for monopoly that exploits consumers and artists

# Pharmaceuticals



# Dealing with Berne (& TRIPs)

## “Compulsory” option: use exceptions or revise

Art 13: ‘Each country of the Union may impose for itself reservations and conditions on the exclusive right granted to the author of a musical work, ... such reservations and conditions ... shall not ... be prejudicial to the rights of these authors to obtain equitable remuneration which, in the absence of agreement, shall be fixed by competent authority.’

If there is popular support it is surprising what can be changed — e.g. France and “state of emergency”, Anthrax and compulsory licensing of drugs in US



# Voluntary option

- Allow copyright to continue in parallel with new system.
- Artists opt into the new scheme similar to collecting societies (or Spotify). -  
Make participation exclusive (at least for straight up consumption).
- Strongly incentivise participation using carrot + stick.

Carrot = substantial remuneration rights; stick= surtaxes on monopoly right revenues.

# Nasty Witch Overcome

# The Strategy

## Top Down

Advocacy and political action to have state implement open model.

Classic “public goods” funding problem like national defence with state as natural funding coordinator.

## Bottom Up

Create open materials ourselves - software, databases, content.

Create cooperatives for funding and access.



“We, the people”

If it's so great ...

Why aren't we doing it already?

[If you are so smart, why aren't you so rich ...?]

1. *Mistaken Mental Models*

2. *Poor Power Dynamics*

# Mistaken Mental Models

Music (CDs) = Bread

# Role of academics

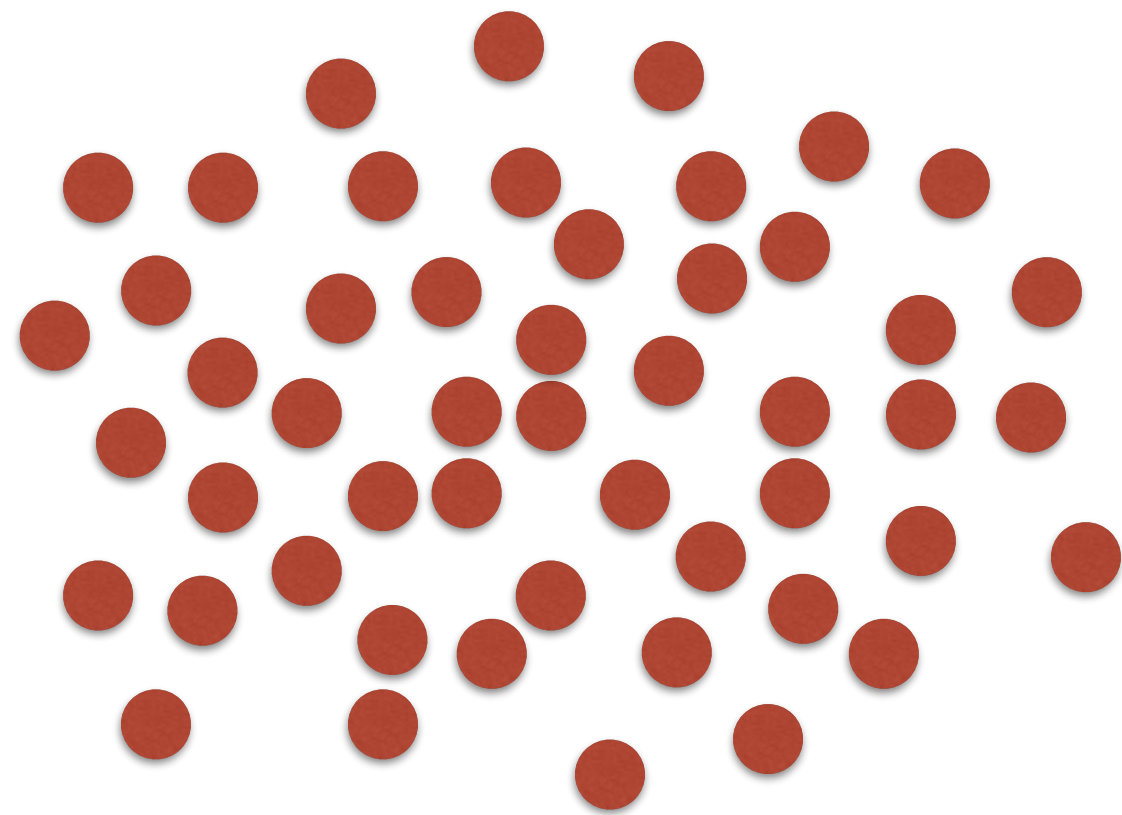
(esp IP lawyers)

Naming e.g. “property” is not neutral

# Dynamics of Power



Concentrated



Diffuse



# Getting Political

# An Analogy: Environmentalism



1962



Information Commons

as mirror image of the

Environmental Commons

ENVIRONMENTAL COMMONS

as mirror image of the

Information Commons

The hard thing about  
hard things ...

# We need to build a movement

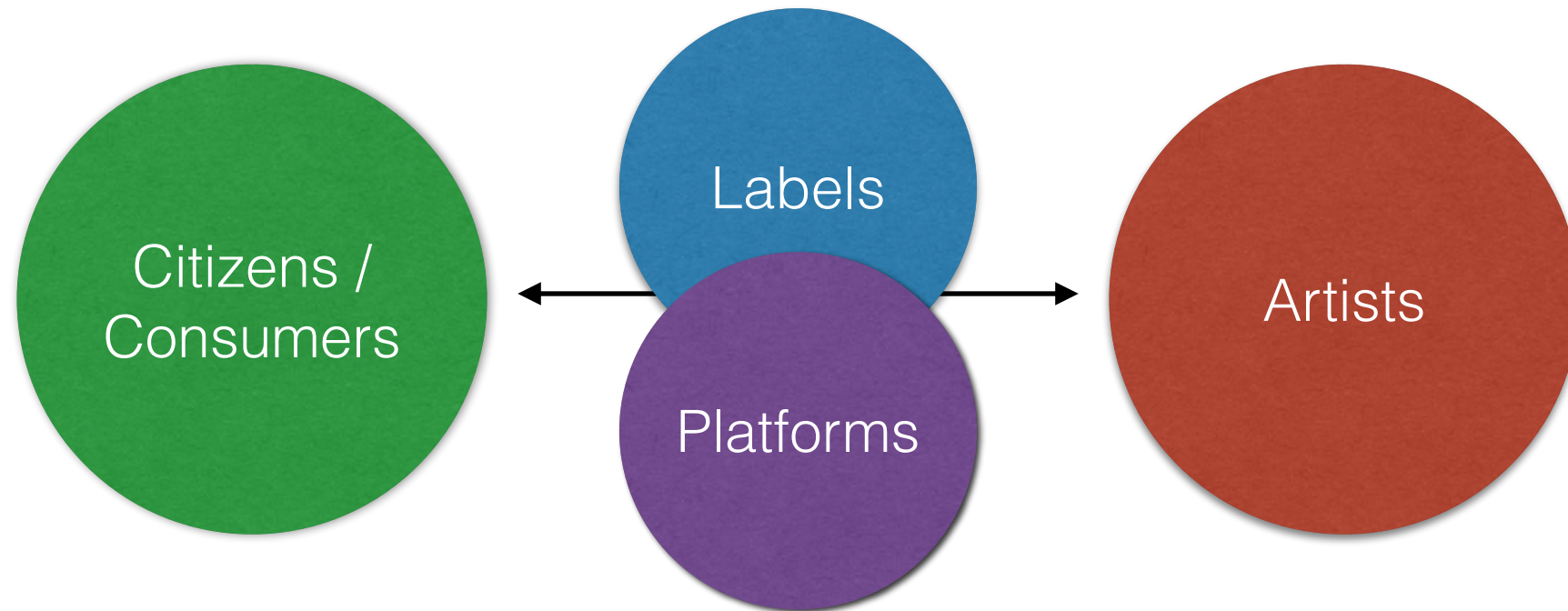
The hard thing about hard things ...

# Incrementalism

*Start with music, then medicines, then ...*

# Stakeholders

## In Music





# New taxes can be hard ...

*What about using ones we already have BBC,  
Beitragsservice*

# X-Factor / Kickstarter Revisited

Need for legitimacy - cf participatory budgeting etc

# Conclusion

# An Information Age



An open information age  
*Freer, fairer, richer, weller*

# Dystopia is the Default

A closed world - the gravity of power

*We Must Act*  
Primary challenge is political