

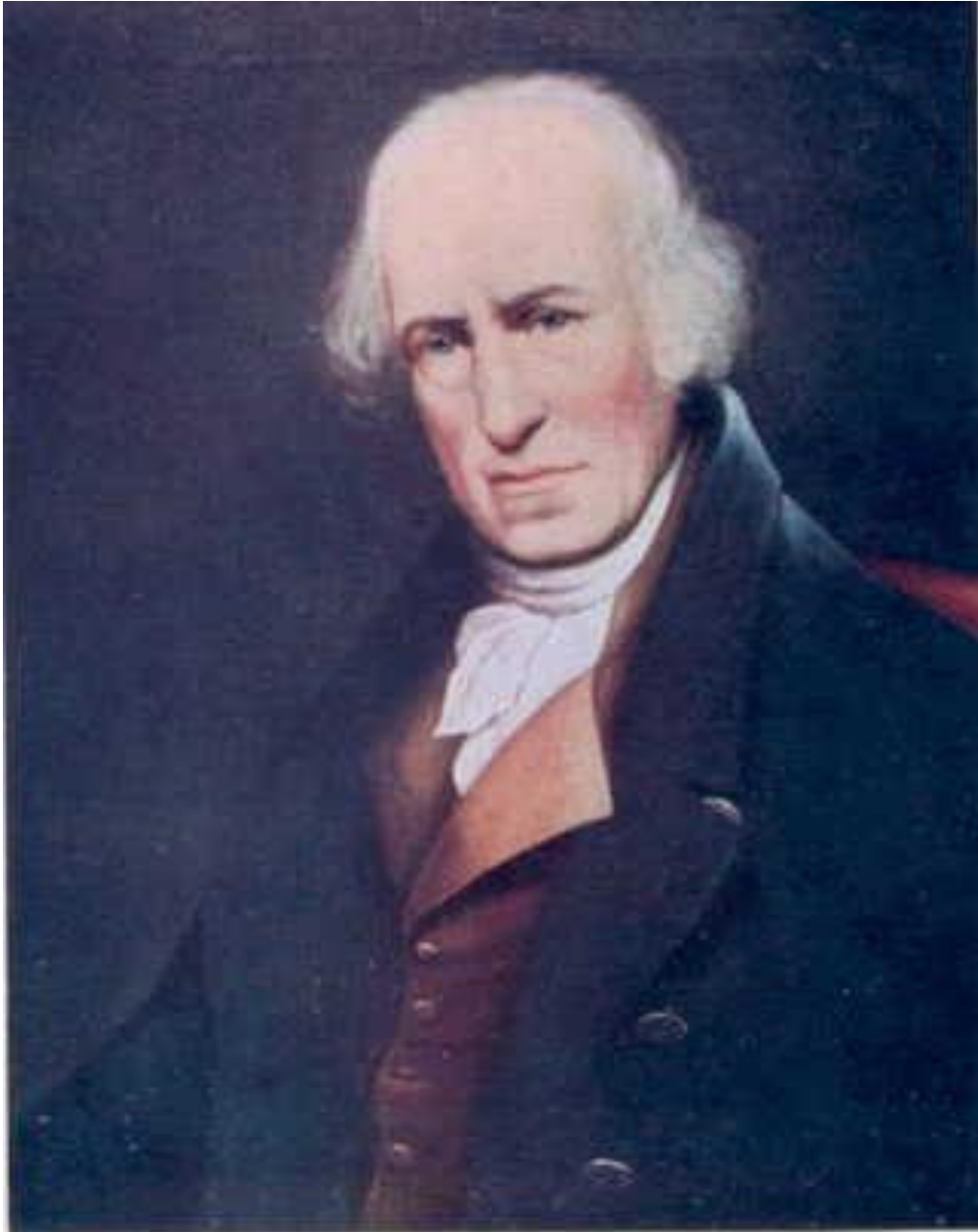


# Intellectual Property Rights – Catalyst or Inhibitor of a Low Carbon Future?

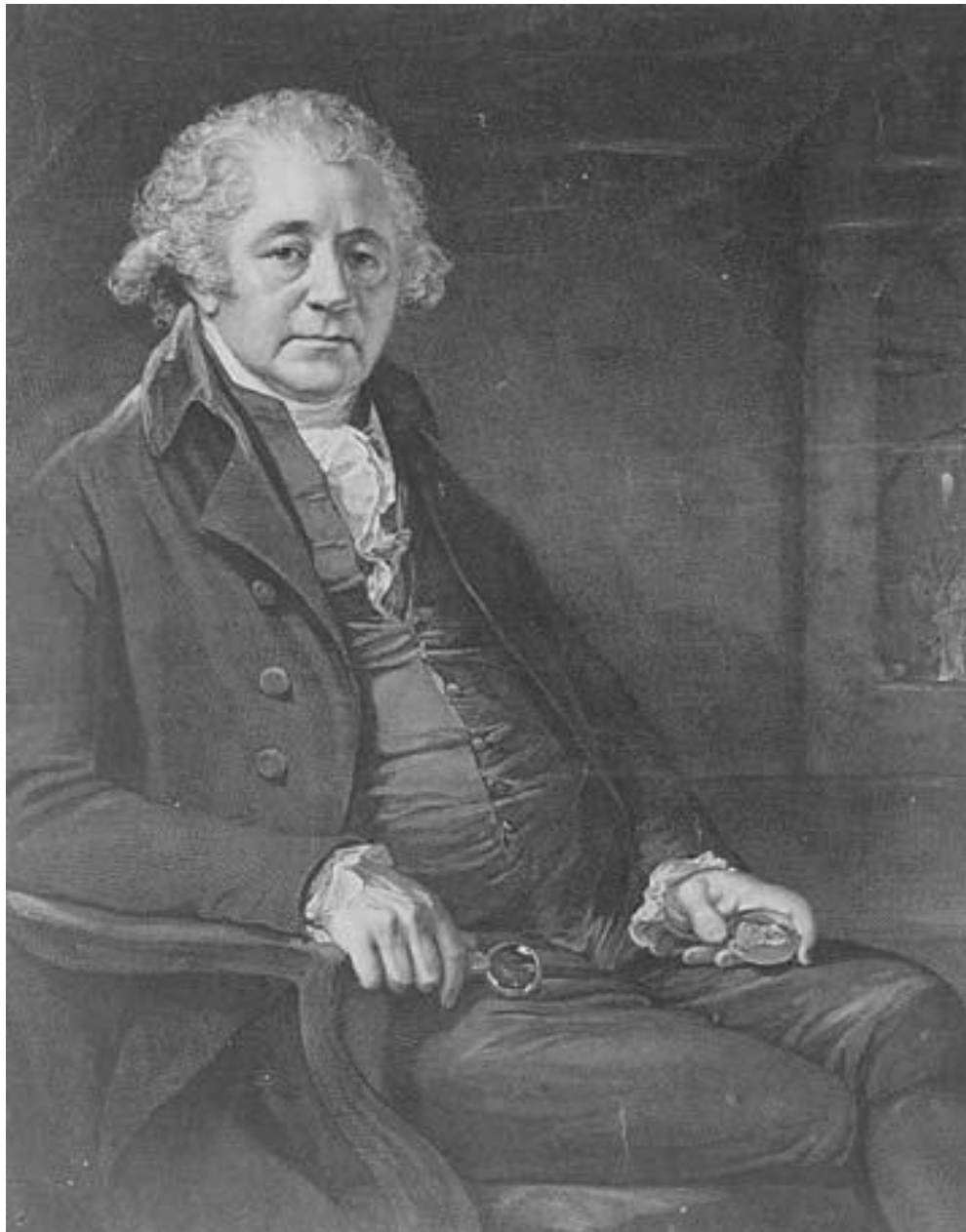
*R&D Society*

**Ian Harvey - *Chairman, Intellectual Property Institute***

**October 13, 2008**



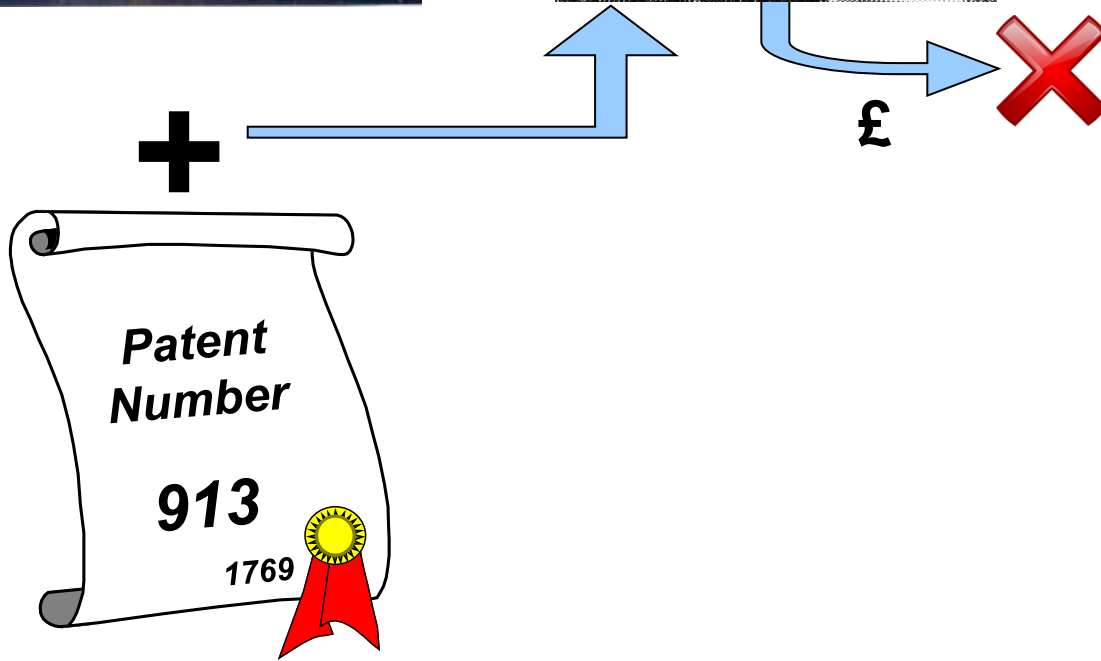
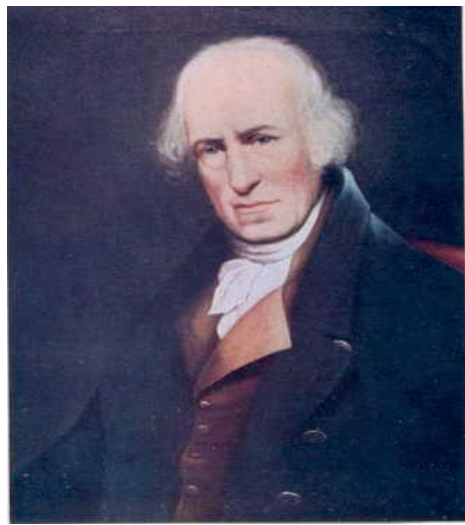
**James Watt**

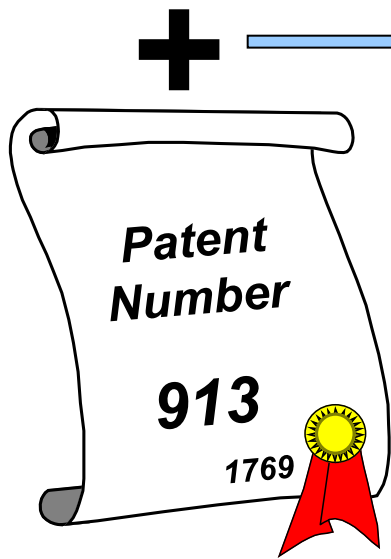
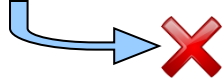
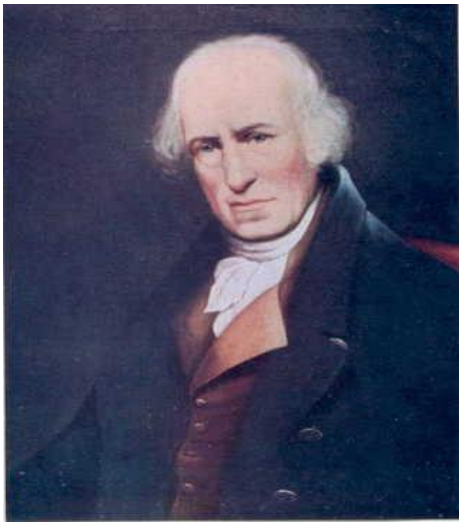


**Matthew  
Boulton**

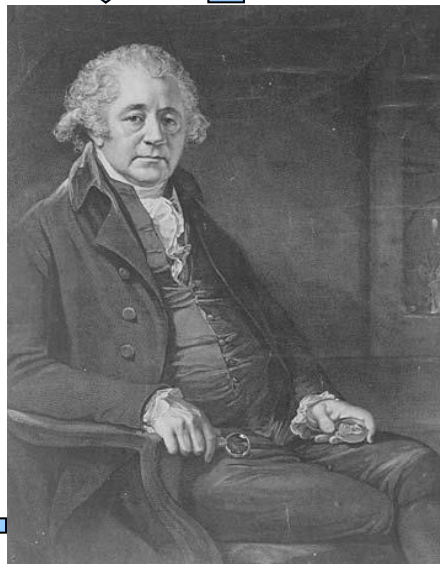


**John  
Roebuck?**

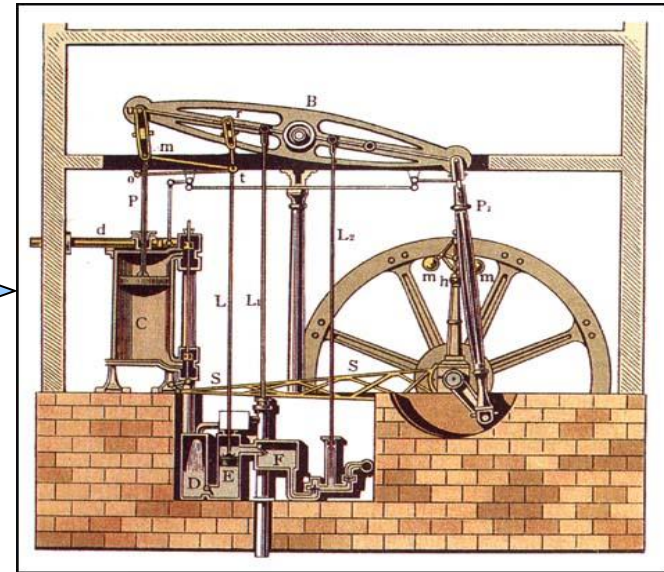




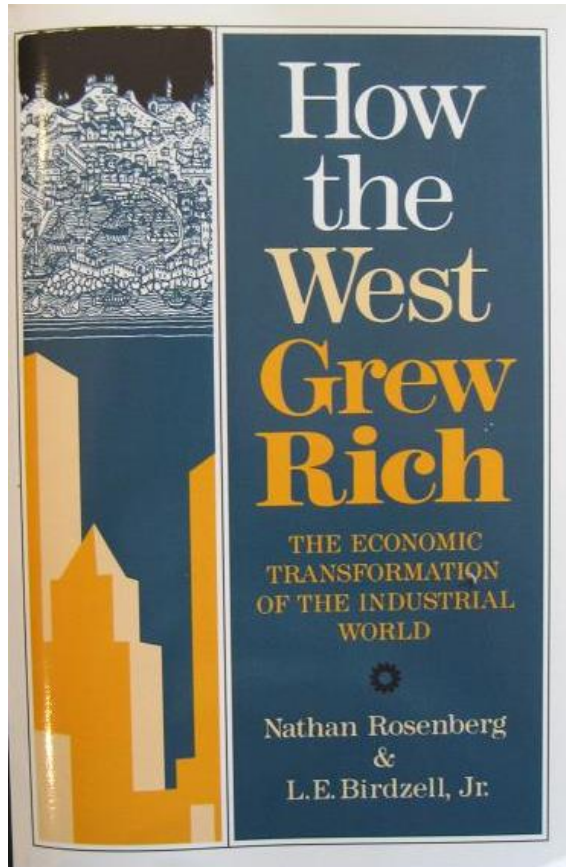
14 to 30  
Years



£



## Do Economists understand?



- 1985 - 333 pages
- Review: *“a careful, objective, scholarly explanation of the foundations of prosperity”*
- *“The West’s system of innovation is interwoven ... with its system of private property rights.”*
- The sole mention of patents:
  - “...patents, which go to the first inventor, and whose economic life is measured by the time it takes to find a better alternative.”* p23



# Patents kill patients

- **Perceptions of Intellectual Property: A Review**
  - **Roya Ghafele (Haas School of Business, UC Berkeley)**
- **Public discourse about IP:**
  - **95% negative or very negative**
- **IP Brand Development Group**







## **IPRs provide:**

- **The incentive to innovate and invest in risky new ideas**
- **The legal clarity and certainty for technology transfer transactions – including creation of IP pools**
- **The choice to IPR owners how their IPRs will be used**



## **IPRs provide:**

**The incentive to innovate and invest in risky new ideas**

**Compulsory licensing – disincentive to invest**



**IPRs provide:**

**The legal clarity and certainty for technology transfer transactions – including creation of IP pools**



## **IPRs provide:**

**The choice to IPR owners how their IPRs will be used**

**Encourage diffusion**

**Reduce blocking**



# Problems

- **Patent thickets**
- **Developing country access**
- **Compulsory licensing**

## Recommendations

- **IPR central to developing/diffusing new technologies**
- **WTO:**
  - **TRIPS Council: forum for developing IPR policies**
  - **enforcement and conflict resolution mechanisms**
- **WIPO – maintain integrity of IP structures**
- **Engage China in defining IPR issues and solutions**



# Intellectual Property Rights – Catalyst ~~or~~ ~~Inhibitor~~ of a Low Carbon Future

*R&D Society*

Ian Harvey - *Chairman, Intellectual Property Institute*

October 13, 2008

[www.theclimategroup.org/assets/resources/Intellectual\\_Property\\_Rights\\_-\\_Catalyst\\_to\\_Deliver\\_Low\\_Carbon\\_Technologies.pdf](http://www.theclimategroup.org/assets/resources/Intellectual_Property_Rights_-_Catalyst_to_Deliver_Low_Carbon_Technologies.pdf)