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FESMAN III

A Global Celebration
of African Culture

The World Health Organization (WHO), the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO) are organizing two events in February 2011, relating to access to medicines, patent searches and freedom to operate:

A Workshop on Patent Searches and Freedom to Operate

at WIPO in Geneva, Switzerland on February 17

and

A Technical Symposium on Access to Medicines, Patent Information and Freedom to Operate

at WHO in Geneva, Switzerland on February 18

The objectives of these joint events are to:

- highlight the importance of easy access to patent information in facilitating access to medicines;
- demonstrate how patent information is used to determine freedom to operate and help accelerate access to medicines;
- discuss the type of patent information required for this purpose;
- explore the extent to which this information is available, and how to access it; and
- identify information gaps that need to be addressed.

The Workshop will focus on basic and practical concepts of how to undertake patent searches and freedom to operate analyses.

The Symposium will enable participants to more clearly identify the needs of users and providers of IP information.

Representatives of the research-based and generic pharmaceutical industries, procurement agencies, national patent offices, and others are expected to participate in these discussions.

The events will be conducted in English only. Full program and registration details are available at: www.wipo.int/meetings/en/2011/who_wipo_wto_ip_med_ge_11/index.html

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6TH GLOBAL CONGRESS ON COMBATING COUNTERFEITING & PIRACY



The global phenomena of counterfeiting and piracy remain a great concern to policymakers worldwide. While an exact quantification of the scope and economic effects at the aggregate level remains challenging, it is recognized that the trade in fake goods today affects virtually all economic sectors that are driven by creativity and innovation, and is prevalent in all economies. While luxury goods producers have been the traditional targets of counterfeiters, today, industries as diverse as entertainment, cosmetics, foodstuffs, electronics, auto parts, and most alarmingly, medicines, are concerned. Counterfeiting and piracy represent direct losses to the individuals and companies who innovate and develop original products, but their impact reverberates throughout the global economy. Widespread availability and consumption of counterfeit and pirated goods undermine trust in a rules-based system, and, depending on the particular circumstances, may translate into lost opportunities for innovation, lost earnings, lost jobs, lost tax revenues and a weakening of state-funded services.

Formulating a policy framework to effectively address counterfeiting and piracy poses substantial challenges. Depending on the priority issues at stake, this may involve legislative, public health, law enforcement, intellectual property (IP), technological and development-oriented considerations. In addition, educating consumers remains crucial, as is the need for working towards effective enforcement infrastructures and techniques. We continue to witness significant efforts by a number of countries to further develop existing frameworks, both at national and at international levels. This includes negotiations on multilateral agreements, for instance in the context of the draft MEDICRIME Convention, negotiated under the auspices of the Council of Europe, or the draft Anti-Counterfeiting Trade Agreement (ACTA). Other initiatives focus on the distribution of counterfeit products and protected content over the Internet, and explore, for instance, voluntary cooperation models between the various stakeholders.

The World Intellectual Property Organization (WIPO) is dedicated to developing a balanced and accessible IP system that rewards creativity, stimulates innovation and contributes to economic development while safeguarding the public interest. WIPO's work in the field of IP enforcement is guided first by the need for an in-depth understanding of the elements that fuel the trade in illegitimate goods. The Organization takes a broad, crosscutting approach that is more inclusive than the narrower concept of enforcement. It takes into account the interest of broader societal interests, development-oriented concerns and consumer protection and aims at enabling sustainable progress, by working towards an environment that is conducive to fostering respect for IP rights. The focus is on international public and private sector cooperation; on supporting a constructive and balanced international policy dialogue; and on legal and technical assistance to WIPO member states, upon request, to strengthen their capacities for the effective enforcement of IP rights.

Within this strategic direction, WIPO has since 2004 partnered with the World Customs Organization (WCO) and INTERPOL, the International Chamber of Commerce (ICC/BASCAP) and the International Trademark Association (INTA) in the organization of the Global Congress on Combating Counterfeiting and Piracy. The Global Congress has become a leading global forum for building cooperation to enhance public awareness – and concerted action – to successfully confront counterfeiting and piracy. It brings together government ministers and policy-makers, business leaders, senior law enforcement officials, judges and lawyers, stakeholders from intergovernmental organizations (IGOs) and non-governmental organizations (NGOs), consumer groups and members of academia.

This year, as sitting Chair of the Global Congress Steering Group, WIPO has taken the lead in organizing the 6th Global Congress in Paris, France on February 2 and 3, 2010. This year's program, which underscores the link between building respect for IP and sustainable development, is de-

signed to reflect a balanced approach to combating counterfeiting and piracy. This year's theme is "Building respect for IP: sustainable solutions to a global problem." As an increasing number of industries are the target of counterfeiting and piracy and as new distribution patterns emerge and against a backdrop of ever-tightening budgets, the search for effective strategies is evermore important. The Global Congress offers a multi-stakeholder platform to consider innovative and effective ways of disrupting and curbing the illicit global trade in counterfeit and pirated goods. Overall, the aim of the Congress is to create a better understanding of the elements underlying the trade in illegitimate goods, and to discuss sustainable solutions to stop it. This year's innovative program is designed to encourage maximum interaction and dialogue among participants. A series of plenary and boardroom dialogue sessions covering a range of new issues offers a fresh look at ways to combat counterfeiting and piracy and build respect for IP. These include:

Plenary Sessions:

- **Building Respect for IP**
Protecting consumer safety; a critical driver to fight counterfeiting – highlighting the multiple risks to consumer safety and exploring effective intervention strategies to protect consumers.
- **Responsible destruction; eco-friendly and socially equitable disposal of infringing goods** – discussing ways and means of disposing of infringing goods in an environmentally friendly way and in the societal interest.

Boardroom dialogue sessions include:

- **Creating and refining the means for efficient enforcement** – aims to foster closer public-private sector cooperation to detect and curb the production and distribution of infringing goods.
- **Determining the impact – the importance of measuring the scope and impact of infringement** – assesses existing approaches and methodologies for determining the impact of counterfeiting and identifies solutions to bridge existing gaps.

- **Competition law and building respect for IP** – explores solutions for the pro-competitive use of IP rights.
- **Anti-counterfeiting initiatives in France**
- **IP enforcement and sustainable development – perspectives and challenges** – analyzes the elements fuelling IP infractions in a broader societal context and addresses the need for balance in IP enforcement regimes to identify solutions that contribute to sustainable development.
- **Addressing counterfeiting and piracy in the virtual world** – aims to enhance understanding of the scope and depth of counterfeiting and piracy online and the tools required to tackle it.
- **Financing effective enforcement – innovative approaches** – explores options for harnessing collective resources for the most cost-effective solutions.
- **The cost of cleaning up** – explores acceptable solutions to recover from the infringer the mounting costs associated with storage and destruction of infringing goods.
- **Corporate social responsibility – nurturing respect for IP** – explores how partnerships between governments and investors with CSR policies linked to sustainable development can foster more effective enforcement results.
- **Government agreements and initiatives** – explores the perspectives of developing and developed countries on the formation and impact of government initiatives to protect IP and combat this illicit trade.
- **The power of education and awareness in building respect for IP** – explores the public education challenges in communicating the economic and social harms associated with counterfeiting and piracy and will seek to develop new tools through public-private sector collaboration.
- **Securing the supply chain – understanding the customer** – considers how to safeguard consumer safety and the integrity of official supply chains which are increasingly infiltrated by infringing goods.

The 6th Global Congress is being co-hosted, under the high patronage of the President of the French Republic, by the French Institut national de la propriété industrielle (INPI).

AN INTERVIEW WITH LAWRENCE LESSIG

Amid the gathering copyright storm of the early “noughties,” which pitched the established copyright world against new-found digital creators, Lawrence Lessig and his colleagues sought to establish a middle ground by launching the Creative Commons (CC) Project. In this interview, Professor Lessig explains how Creative Commons came about, and why he thinks it is so popular. He also shares his views about what needs to be done to translate copyright’s legal architecture, born in the 19th century analogue world, to the realities of the 21st century digital world.

What motivated you to set up Creative Commons?

At the turn of the century, we saw a kind of “perfect storm” for culture on the horizon. We had a digital infrastructure that encouraged a wide range of sharing, remixing and publishing that just could not have happened in the 20th century.

We also had an architecture that triggered copyright law each time a copy was produced. This put digital creators on a collision course with the law, whether they recognized it or not. For many, especially those operating in what I call the sharing economy, this made no sense. A large percentage of them continued to create on digital platforms irrespective of copyright law, and piracy rates skyrocketed.

We feared that a collision of these two forces would produce either a movement that sought to abolish copyright or a rigid system of enforcement that would shut down all of these great new activities.

At the time, the prevailing view was if you weren’t in the traditional “all rights reserved” camp, you must be anti-copyright or a pirate. We sought to establish some middle ground because we recognized that, in fact, many people believed in copyright but did not believe that their creative works should be as tightly regulated as they were under the all rights reserved model.

We decided to build a voluntary opt-in system whereby creators could mark their works with the

freedoms they wanted them to carry. This system affirms a belief in copyright, because it is in essence a copyright license, but it also affirms the values that underpin those creative environments – or ecologies – in which the rules of exchange are not defined by commerce but depend on the ability to share and build on the work of others freely.

In how many countries is Creative Commons present?

Creative Commons has launched projects in around 80 countries. Our influence is constantly expanding as new jurisdictions come on board. CC’s work around the world is largely accomplished through a dedicated network of CC affiliates who undertake a range of promotion and outreach activities in various jurisdictions. These include raising awareness about CC legal tools generally – helping communities use CC licenses for example, to develop open educational resources and supporting would-be adopters in understanding how our licenses work. In 2009, the Creative Commons (CC) Project experienced its strongest burst of growth and now covers at least 350 million objects on the web.

The Middle East has become one of the biggest growth areas. Egypt, Jordan, Lebanon, Qatar and the United Arab Emirates have all begun processing CC licenses. What is very interesting is that, in these countries, CC actually encourages greater respect for copyright. So it seems that, in a context in which copyright is not widely respected, a more moderate claim by copyright owners for rights to be applied in some areas while allowing freedom in others, is more likely to encourage that respect by consumers. CC is a way to build understanding and respect for copyright and that is what we are seeing in the Middle East.



Photo: L. Lessig

Lawrence Lessig talks about Creative Commons.

Why do you think it has become such a popular model?

There are political and practical reasons for this. The political reasons are related to what I call the “copyright wars.” Some people want to find a different way to regulate creativity, and do not believe that a narrow and rigid application of copyright law in the digital age makes sense, especially for activities in the areas of education and scientific research and for amateur works. There are also important practical reasons as well. In universities, for example, in the same way that students need to learn to write, they also need to learn how to use digital media, for video, film or remixing music. That is what it means to be literate in the 21st century.

CC-licensed material is a safe alternative to the extremely expensive and cumbersome process of obtaining licenses for students to engage in the creative opportunities presented by digital technologies. It is an alternative to just ignoring copyright and to exposing academic institutions to significant liability.

Is a CC license something anybody can use?

If they cannot, it is a failure on our part. Our idea was to create a simple way for authors and copyright owners to make content available with the freedoms they intend it to carry. In sum, it is a “some rights reserved” model whereby certain rights are reserved by the copyright owner and others are released to the public.

The licenses are structured in a way that gives creators choices in the uses and freedoms they would like to allow. The licenses support different ecologies of creativity – those with money¹ at the core and others operating in the sharing economy.² By selecting simple freedoms and restrictions, creators can choose to enable others to share their work or remix it, subject to the restriction that this use must be only for non-commercial purposes or that any derivative must be released under a similar “share alike” license.

Different licenses support different creative ecologies. The non-commercial license, for example, supports the amateur ecology of creativity, allowing creators to know that their works will be used by others according to the rules of sharing and not the rules of commerce. When you produce a photo and post it on Flickr, selecting a non-commercial license for its use indicates that you are happy to share it with others for non-commercial purposes. If, however, someone wants to use it to illustrate the cover of a CD they intend to sell, the Creative Commons Plus Protocol offers a simple, cost-free means of licensing that same work for commercial purposes.



Creative Commons has launched projects in some 80 countries

The simplest and freest license, the attribution only license, supports the professional, amateur and scientific ecologies of creativity, because it produces free resources that can be drawn on and used at will. The attribution license indicates that licensors are completely open to others making commercial use of their creative works. In 2010, for example, the broadcaster Al Jazeera released a huge archive of its video material under such a license, meaning that anyone can take that raw footage and use it as long as the content is attributed to Al Jazeera. This serves the organization’s commercial objectives, enabling it to spread its brand using infrastructure-free licensing. In 2009, Wikipedia also adopted CC for all its licensed material and happily encourages its commercial use. The only requirement is that if you make changes, you must allow others to use the changed material under the same type of license.

Is there any concrete evidence that businesses are growing up around this model?

Certain businesses could not exist were it not for this kind of licensing. For example, businesses supporting remixed music – sites that encourage people to contribute remixes or to take their mu-

- 1 For these ecologies, control of creativity is important to ensure the artist receives the compensation that gives him the incentive to continue creating.
- 2 Where the creator creates for the love of creating and not for money.



“Laws in a free society depend on people having an intuitive sense of why they exist.” **Lawrence Lessig**

sic and to remix on top of it. Without CC-licensed music, it would be impossible to do this legally. Music encompasses an extremely complicated suite of rights, and negotiating those related to publishing and recording is extraordinarily complicated. CC licenses radically lower transaction costs for such works. There is now a huge archive of CC-licensed music. I am not saying that illegal versions do not exist, but that legal versions depend essentially upon this kind of licensing.

If you had a crystal ball, what would it say about how copyright will evolve in the next 10 years?

The crystal ball has a question mark in its center. There are some fundamental choices to be made. We will either choose to continue to wage a hopeless war to preserve the existing architecture for copyright by upping the stakes and using better weapons to make sure that people respect it. If we do this, public support for copyright will continue to weaken, pushing creativity underground and producing a generation that is alienated from the copyright concept.

Alternatively, we can make peace and think about a more sensible architecture for copyright in the digital age, determining what it should look like and how to establish it. WIPO has a key role to play here; for example, in leading the process by establishing a blue-sky commission to come up with simple and clear recommendations for a system that is in tune with the digital age; a system that ensures that incentives are safeguarded while freedoms are assured.

If we design an architecture that makes sense to developing countries; that ensures artists are paid while protecting freedoms for scientific and amateur creativity, then I think we could find that copyright is once again a well-grounded kind of regulation that everybody understands. Laws in a

free society depend on people having an intuitive sense of why they exist. The fact is that the current copyright law architecture does not make sense. It is not that copyright is not important – it is critical – but that, in its current form, it fails to ensure adequate incentives and fails to protect necessary freedoms in the digital environment. It was built for a different world so let’s just update it and adapt it to this world so that we can raise a generation that continues to believe in it.

I think if the copyright regime focuses on the people we are supposed to be helping, the artists and creators, and builds a system that gives them the freedom to choose and to protect and to be rewarded for their creativity, then we will have the right focus.

What message would you give to a young artist starting out?

I think the message today is, nobody knows, and experimenting is what we have to encourage. Artists need to recognize that and need to be part of the process. As a lawyer, and a founder of Creative Commons, I do not tell artists that they ought to give away their stuff for free. I tell them that they need to use the tools available and to experiment to find out what works for them.

What motivates you?

There are very few people in our society who are actually free to say what they believe. I am in an extremely fortunate position in having this enormous gift of freedom and believe I should try to use it to do something useful for society. As long as I feel as if I have something to say, I’ll continue to try to do that.



PENGUIN TURNS 75

From its humble beginnings in 1935, Penguin has grown into one of the most beloved international brands boasting a back-list of some of the world's best selling authors. The iconic international publishing company, which turned 75 last year, has published the works of 25 Nobel Prize winners, 16 Pulitzer Prize winners and 10 Booker Prize winners. It keeps more than 5,000 different titles in print at any time and with offices in 15 countries, it connects authors with readers across the globe. The group caters to every stage of a reader's life, offering a wide range of genres including popular, literary, and classic fiction as well as non-fiction, travel, lifestyle, children's and reference works.

The beginnings

Founded by Sir Allen Lane in 1935, Penguin Books revolutionized the publishing industry with its popular low-cost paperbacks. The trigger for embarking on this business venture came about during Mr. Allen's return to London after visiting the author Agatha Christie in Devon, England. Frustrated by the narrow selection of reading material available at Exeter railway station, Mr. Allen determined to make affordable, good quality contemporary literature widely available in non-traditional book-selling locations, such as railway stations and chain stores. He even invented the "Penguincubator," the first vending machine for books, which was installed at 66 Charing Cross Road, London. For a few pence, a passerby could immediately get hold of something to read. So began the paperback revolution.

The first Penguin paperbacks appeared in the summer of 1935 and were distributed out of the crypt of Holy Trinity Church in Marylebone Road, London, using a fair-ground slide to receive deliveries from the street above. They included works by Ernest Hemingway, André Maurois and Agatha Christie.

The success of Penguin Books lay in its recognition of the "existence of a vast reading public for intelligent books." By offering entertaining and good quality contemporary literature at low cost, Penguin converted the reading public from "book-borrowers into book-buyers."

The simple and distinctive appearance of the book covers – three horizontal bands, the upper and lower of which were color coded – orange for



Photo: Penguin Group

Penguin – an iconic brand

fiction, blue for biography and green for crime – has become a design classic and a hallmark of the early paperbacks. The initial design was created by then twenty-one-year-old office junior Edward Young, who also drew the first version of the Penguin logo.

Over the years, the company has expanded, acquiring new imprints. Two of the company's most famous names were launched in the 1940s – Puffin, in 1940, as a series of non-fiction picture-books for children and Penguin Classics in 1946.

The early success of the Puffin series prompted the company to start publishing children's fiction a year after its launch. The children's favorite, *Worzel Gummidge* by Barbara Euphan Todd was among its first titles. The unveiling of the Penguin Classics series with E.V. Rieu's translation of *The Odyssey*, made classic texts available to the general public. This world-famous series currently consists of some 1,200 titles (including those in the Penguin Modern Classics series) ranging from *The Epic of Gilgamesh*, one of the earliest known works of literature, to the modern classic, *One Flew Over the Cuckoo's Nest*.

By the 1960s, Penguin had become firmly established as a major force in publishing and, true to its pioneering roots, helped to transform Britain's legal landscape. In 1960 the company was charged under the Obscene Publications Act for publishing D.H. Lawrence's *Lady Chatterley's Lover*. The book was notorious at the time for its explicit descriptions of the physical relationship between a working class man and an aristocratic woman. Penguin fought back, and won its day in

¹ The publisher was knighted in 1962.



court with an acquittal. This landmark victory marked a turning point in British censorship law, fuelled the company's ever-expanding popularity and boosted the novel's sales – Penguin sold 2 million copies in six weeks.

A year later, in 1961, Penguin Books became a public company setting a new record on the London Stock Exchange with a share offering that was oversubscribed 150 times.

A new venture launched in 1967, the Allen Lane The Penguin Press imprint, allowed Penguin to publish in both hardback and paperback. Following the death of the company's founder, Sir Allen Lane, in 1970, Pearson, the international media group, bought Penguin. Since that time, the company has continued to expand and develop and remains "a major and vital publishing force."

Throughout its history, the company has embraced, and often been a pioneer of, new technology in its drive to keep pace with a rapidly changing book publishing landscape.

In the 1960s new techniques such as phototype-setting and offset litho printing dramatically reduced printing costs and paved the way for the introduction of photography and novel approaches to graphic design on paperback covers.

Some 30 years later in 1993, Penguin Audiobooks were launched, "bringing a mix of classic and contemporary titles to a listening audience and using only the finest actors to record them." Over 300 titles are now available on CD or as downloadable eAudiobooks. Penguin was also the first trade publisher to have a website www.Penguin.co.uk and the first to open an eBook store, known as ePenguin, in 2001.

With the advent of digital technologies, the book publishing industry, like so many others, is undergoing a major transformation. A common objective is to find ways to harness value and generate income from the rapidly growing digital market; take advantage of evolving technologies; and reach new readers through non-traditional means. Penguin Group Chairman and chief executive

John Makinson notes, "Our industry is changing fast and the new landscape demands something different from us. Digital technology is altering the shape of book publishing, creating tremendous new opportunities but also putting unprecedented pressure on our costs and our traditional ways of working." He added, "we have to stay ahead if we are to grow and prosper."

Penguin's digital business is thriving with an expanding portfolio of some 15,700 eBook titles available around the world on multiple platforms. The company is taking advantage of new technology to connect readers with their favorite authors online and to deliver books to readers in their preferred format. In 2010 the company launched a number of digital initiatives, including:

- a partnership with Apple – on the launch of their iBookstore and iPad in April, *Winnie the Pooh* by A.A. Milne, was preloaded onto the device;
- the launch of the Group's first priced application (app) – *Topsy & Tim Start School* by Ladybird (part of the Penguin Group) – which walks children and parents through the life-changing experience of starting school;
- the release of a new iPad app, *Spot Goes to School*, to mark the 30th anniversary of the publication of this popular children's book. The interactive lift-the-flap story offers children a fun-filled and captivating reading experience.

- Penguin U.S. launched a groundbreaking Amplified Edition of *The Pillars of the Earth* by Ken Follet in partnership with Starz LLC that showcases video clips, artwork and original music from the Starz Originals TV series based on the book.

Penguin U.K. claimed another first in 2010 with the publication of *The Fry Chronicles*, the second volume of Stephen Fry's² autobiography, in five different formats (hardback, audio book, app, eBook and enhanced eBook). This popular book, which rose to number one across all formats offers readers the possibility of reading the book in the format of their choice.

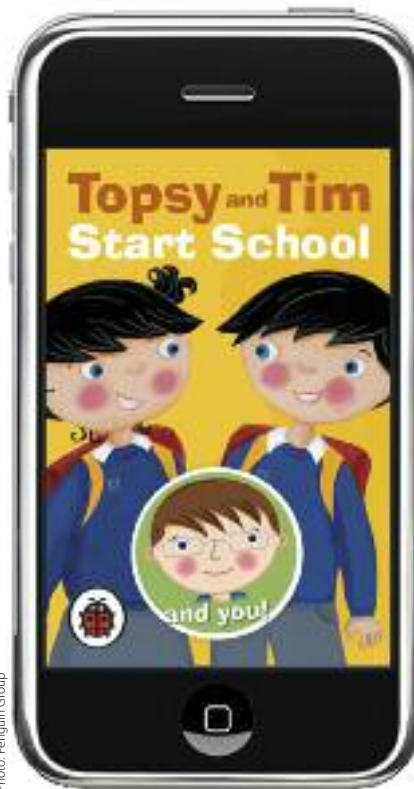
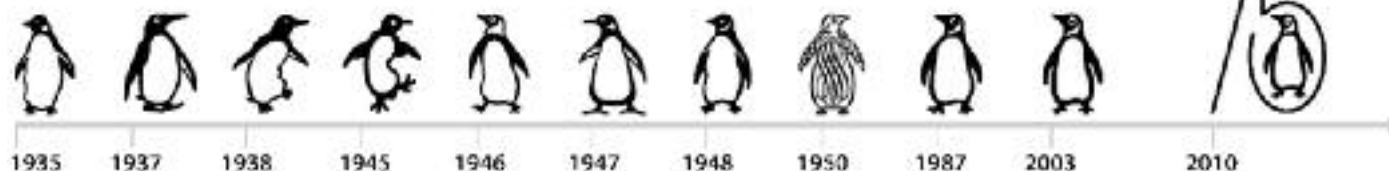


Photo: Penguin Group

² Stephen Fry is an English actor, screenwriter, author, playwright, journalist, poet, comedian, television presenter and film director.

"Penguin Community," a new interactive web-based community for readers was also launched in the U.S. in 2010. It allows readers to customize

Photo: Penguin Group



Evolution of the Penguin logo

their profile according to their literary tastes, become a “fan” of various books and authors, link-up with readers having similar interests and comment on different discussions about selected books and authors.

A continued commitment to promoting creativity

The Group continues to fuel Penguin’s “long-standing commitment” to developing and finding new and contemporary writing and bringing new writers to the attention of the reading public. This includes the setting up of The Penguin Prize for African Writing, which “seeks to highlight the diverse writing talent on the African continent and make new African fiction and non-fiction available to a wider readership.” Another example is the Amazon Breakthrough Novel Award in the U.S. which, in 2010, attracted thousands of entrants from around the world. Similarly, Penguin China’s recently launched publishing program seeks to publish five to eight books a year covering Chinese fiction and non-fiction.

and *Penguin 75*, an illustrated collection of some the best covers from Penguin Books in the U.S. together with comments from authors, designers and artists.

- Penguin UK launched its Penguin Decades series which features novels from the 50s, 60s, 70s and 80s each of which “is considered a landmark of storytelling.” These striking editions “celebrate Penguin’s extraordinary design heritage” and follow “Allen Lane’s ethos of making great writing affordable and available to everybody.”
- In Canada, the anniversary was marked with the launch of the Allen Lane and the History of Canada series.
- In Brazil, the company launched its Classics Series in Portuguese through a partnership with leading Brazilian publisher Companhia das Letras;
- Penguin India marked the event by ensuring its visibility at major book fairs including the Jaipur Literary Festival, the World Book Fair in New Delhi and Penguin’s literary festival, “Spring Fever.” It also launched the “Your Favorite Penguin” campaign and the “75 Best Books List.”

The Penguin Group

Today, the Penguin Group publishes under a wide range of market-leading imprints and prominent trademarks, including:

- Dorling Kindersley (publishers of dynamic travel, reference and children’s books), acquired in 2000;
- Frederick Warne, best known for its Beatrix Potter titles and acquired in 1983;
- Ladybird;
- Penguin;
- Puffin; and
- Rough Guides (travel and music publishers), acquired in 2002.

The 75th anniversary of Penguin Books has been an opportunity for the Group to reinforce the visibility of its brand with a range of activities organized around the globe. These include:

- The launch by Penguin Australia of 75 new Popular Penguins, featuring classics such as *Northanger Abbey* and *Robinson Crusoe* as well as titles by some of Australia’s best known and most popular writers.
- The launch of the Ink Series in the U.S., six Penguin Classics with art by some of the most prominent tattoo and poster artists of our day

Penguin seeks to be truly the “home of reading,” offering something for readers of all ages and covering a wide range of interests. Its prestigious back-list of authors is “unparalleled in breadth, depth and quality” and a veritable “who’s who” of the industry. Let us hope that the distinctive black-and-white penguin on an orange background that has shaped the popular literary landscape of the past continues to thrive in the future.

ONLINE MUSIC LICENSING - A WAY OUT OF THE MAZE

At the conclusion of the 2008 annual report of Hungarian authors' society Artisjus, director general András Szinger characterized the current European digital market as representing "a chaotic period of licensing." He was not alone in this view. While authors' societies are currently grappling with the issue of licensing, music publishers, broadcasters and digital music suppliers also have a stake in finding a viable solution. Each is seeking to speed up the creation of a pan-European digital music market, and each is seeking to do this on their own terms. Consequently, the European music licensing landscape is presenting significant challenges. In this article, **Phil Hardy**, Editor of *theviewfromtheboundary*¹ explores how this came about and a possible way forward.

The European digital music licensing landscape is in turmoil. Legal rulings, European Union initiatives in support of consumer interests, the development of the digital marketplace, emerging online business models, and collecting societies for musical works all have had a part in creating what has become a complex maze.



Photo: iStockphoto/Cesair

Trying to navigate the licensing labyrinth can be a real headache. Businesses and consumers alike have much to gain from a coordinated and seamless licensing environment in Europe. Viviane Reding,² as European Commissioner for Information Society and Media, put it simply: "In the EU, consumer rights online should not depend on where a company or website is based. National borders should no longer complicate European consumers' lives when they go online to buy a book or download a song."

Historically, music publishers and collecting societies administered their rights on a territory-by-territory basis and as users themselves operated within a single territory, this was unproblematic. With greater market integration and the emergence of digital networks, however, a growing number of observers are recognizing that territorial approaches to licensing are becoming unworkable.

The desire for a one-stop shop for the online licensing of music rights across Europe was the root of a complaint by broadcaster RTL to the EC

in 2000. The complaint was triggered by the refusal of the German authors' society GEMA to grant a pan-European license "for all its music broadcasting activities, both national and international via traditional and new forms of exploitation." A similar complaint was filed in 2003, by

European digital and interactive broadcaster Music Choice against CISAC.³ The two complaints were subsequently consolidated and in July 2009 the Commission ruled in favor of RTL and Music Choice.

The EC reasoned that the societies were anti-competitive because they had created a closed network in which each individual society has the exclusive right to grant licenses to commercial users within its national territory. The Commission considered that this constrained authors and composers as well as broadcasters: the former being required to join the collecting society of the country of their domicile and the latter being required to conclude licensing agreements with the collecting societies of each country in which they operated.

The Commission's ruling prompted the European societies to end the practice of automatically extending one set of rights to all sectors, notably to the satellite broadcasting and digital sectors. The societies also changed their membership rules allowing individuals greater freedom in their choice of collecting society, while at the same

¹ www.theviewfromtheboundary.com

² In 2010 Viviane Reding became European Commissioner for Justice, Fundamental Rights and Citizenship

³ The International Confederation of Societies of Authors and Composers

time, in conjunction with CISAC, they appealed the EC's ruling.

As the RTL case played out, the EC published recommendations⁴ for online licensing which, according to Charles McCreevy, Internal Market and Services Commissioner (2004-2010), sought to make it easier "for new European-based online music services to take-off." Rather than retaining or modifying the system of reciprocal agreements between national societies, the EC favored the introduction of a new scheme allowing rights owners to authorize a single society to manage online use of works across the EU. This was expected to lead to the emergence of a few powerful societies for both online and offline licensing of musical works.

Larger authors' societies, such as the UK Music Alliance (now PRS for Music) welcomed the move claiming it was "the starting shot for an online land rush across Europe," and an "opportunity to create better services and better rates" for its members.

Commissioner Herbert Ungerer, Deputy Director-General for state aid policy in the Directorate-General for Competition (DG COMP), welcomed this response noting "as the Europe-wide and global music markets change fundamentally, the business models of collective rights management will have to change inevitably as well."

Music publishers, as right holders, also favored the introduction of the proposed new scheme as it offered them greater control over the management of their rights, particularly given the increasing use of central licensing deals for mechanical royalties⁵ by societies in the 1990s. Under such deals, music publishers were losing out as a society reduced the fees it charged record companies and collected on behalf of music publishers and composers when all such payments were channelled through them.

New approaches

Major music publishers and collecting societies have made various attempts to simplify the online music licensing landscape, proposing new

ways of administering rights in the digital arena. The first to act was EMI Music Publishing (EMI MP), which together with the UK's PRS for Music and GEMA established CELAS as the sole administrator of digital rights for EMI MP's Anglo-American repertoire. Other databases followed, including Harmonia, a body jointly operated by French society SACEM, Spanish society SGAE and Italian society SIAE to administer the digital rights of the Universal Music Publishing Group; a deal concluded by Sony/ATV with GEMA to exclusively represent its Anglo-American repertoire; and agreements between music publisher Warner Chappell and other European societies.

Collectively these moves have resulted in the "chaotic licensing situation," described by András Szinger. Moreover, users have lost access to a significant proportion of the global music repertoire as leading music publishers favor exclusive deals with specific societies over bilateral agreements with national collecting societies. The supposed advantages of introducing the proposed new scheme have been lost because of the fragmentation of the global repertoire.

A possible solution

A growing number of stakeholders – broadcasters, Internet service providers (ISPs), online music services, record companies, authors' societies, technology experts, and lawyers – are calling for the administration of copyrights to be reformed in Europe. In 2009, the EC took action to resolve the still pressing music licensing problem. Neelie Kroes who was, at that time, European Commissioner for Competition⁶ noted "There is a clear willingness expressed by major players in the online distribution of music in Europe to tackle the many barriers which prevent consumers from fully benefiting from the opportunities that the Internet provides."

In 2010, with a view to improving online music opportunities for European consumers, the EC launched two initiatives. The first promised better access to the world music repertoire with the partial reintegration of the global repertoire through a range of non-exclusive deals with various

4 Recommendations Concerning Collective Cross-Border Management Of Copyright And Related Rights For Legitimate Online Music Services (2005)

5 The royalty due from the sale of each piece of recorded music

6 Neelie Kroes became European Commissioner for Digital Agenda in 2010.



authors' societies. The second involved a proposal to establish a global repertoire database (GRD) database for musical works and sound recordings. A GRD would bring together the information held by different societies to provide a single, complete and authoritative account of the global ownership and control of musical works. Its aim is to lower the barriers to businesses seeking to distribute content online, to ensure that creators of musical works are compensated in a fully transparent way and to improve access to the global musical repertoire.

Given the complexity of Europe's licensing landscape, the business case for a GRD is compelling. As noted by the EU, "It can no longer be assumed that if a music publisher or musical work CRM [copyright manager] is located in a specific territory it is in a position to issue a license for the exploitation of the musical works in that territory or on a multi-territory basis." This is further complicated by the fact that for the online exploitation of musical works, "the authority to license musical works may be held differently from the way the territorial off-line ownerships and authorities are held." This essentially means that a society may be appointed to license certain rights for specific works in one territory but may not be automatically granted the right to license the same rights outside that territory. While attempts have been made in the past to establish databases to facilitate the online licensing of music, these have met with limited success.⁷

The EU envisions the GDR as the central repository of information to identify all known musical works including:

- writer(s) of each musical work
- ownership of the rights shares attributed to each party for each musical work on a territory-by-territory basis
- the entity authorized to grant licenses whether on an exclusive or non-exclusive basis and whether for an off-line or on-line exploitation, by rights share, by right type (e.g. public performance, reproduction etc.), by use type (e.g. online or offline) and by territory
- all known sound recording and music video data including the name of the main artist

- the links between each musical work and all sound recordings or music videos on which it appears
- public domain works.

These elements are widely considered to hold the key to the success of a GDR. The technical challenges of establishing a GDR are clearly solvable; far more problematic are the political questions:

- Who is to own, administer and maintain the GDR?
- How are works to be registered?
- How is access to the GRD to be determined?

Initial proposals by various interested parties suggest that the ownership and running of a GRD must be by a fully independent body, such as the World Intellectual Property Organization (WIPO). WIPO has extensive experience in developing, deploying and managing international filing and registration systems, such as the Patent Cooperation Treaty (PCT) which facilitates the process of obtaining patent protection in over 140 countries and the Madrid System for the International Registration of Marks which offers a cost-effective means of registering and subsequently managing trademark rights internationally. Something similar could serve as a GRD, with the cost of registering works charged to rights owners who will benefit most from making their works more easily accessible to users.

WIPO Director General, Francis Gurry, fielded the idea of a GRD at the WIPO Conference on Facilitating Access to Culture in the Digital Age in early November 2010 as "an idea whose time has come." The challenge is to generate a broad commitment among policymakers and other stakeholders to turn the idea into a workable reality. A GRD that brings together the fragmented information hosted by collecting societies relating to musical works, their ownership, control or administration, would go a long way to bringing order to the current licensing confusion and WIPO seems well placed to take up the challenge.

⁷ The recording industry's International Standard Code (ISRC) to track digital use and CISAC's proprietary Common Information System (CIS) have enjoyed limited success. Various tracker systems have also been developed, (e.g. BMI's Blue Arrow, ASCAP's Mediaguide) but these are client and job specific and unable to perform the broader range of tasks envisaged for a GRD.

PARMESAN

THE KING OF CHEESES

Known as the “King of Cheeses,” Parmesan, or *Parmigiano Reggiano* was first produced by Benedictine and Cistercian monks a thousand years ago. Over the centuries, it has acquired global prominence and is now a hugely popular choice for food-lovers the world over. While this popularity translates into a persistent and healthy demand, it has also resulted in parmesan becoming one of the most imitated agricultural products in the world. As consumers, how can we be sure that we have purchased “the real deal”? In this article, *WIPO Magazine* explores how the producers of *Parmigiano Reggiano* have acquired legal recognition that their cheese is the “one and only” Parmesan.

About Parmesan

The method of producing this hard, grainy¹ cheese, which is cooked and not pressed, has changed little over the centuries. Cheese-makers today use the same natural ingredients as their predecessors

An historical product

Literary references to Parmesan date back to the 14th century. Boccaccio’s 1348 work *The Decameron* relates “...and there was a whole mountain of Parmigiano cheese, all finely grated, on top of which stood people who were doing nothing but making macaroni and ravioli.”

An entry by British Diarist, Samuel Pepys during the Great Fire of London in 1666 notes that he buried his “Parmezan cheese” to save it from the advancing fire.

did (raw milk, rennet and salt) and employ “the same care and craftsmanship.” An iconic Italian food, *Parmigiano Reggiano*² is produced in a well-defined area of northern Italy – the provinces of Parma, Reggio Emilia, and Modena and Bologna (on the left bank of the Reno River) and Mantova (on the right bank of the Po River). Many different factors determine the unique quality of *Parmigiano Reggiano* cheese – from the soils used to produce the fodder on which the cows graze to the skills used in the cheese-making process. Made from a mixture of full fat and skimmed milk, Parmesan is



Photo: Consorzio del Formaggio Parmigiano-Reggiano

quickly digested and easily assimilated. Vaunted as “a miniature storehouse of concentrated” nourishment, it is rich in proteins, lipids, calcium and phosphorus and low in fat and cholesterol compared to other cheeses.

The *Consorzio del Formaggio Parmigiano-Reggiano*

In spite of its widespread renown, Parmesan production was relatively small until the early 1900s, when it expanded dramatically. Facing competition from cheaper imitation products, dairy farmers joined ranks to form the *Consorzio del Formaggio Parmigiano-Reggiano* (the Consortium) in 1934. Since that time, the Consortium, which represents the interests of some 409 dairies in an area encompassing around 3,676 milk producers, has actively promoted consumer awareness of the uniqueness of *Parmigiano Reggiano*. It also plays a key role in upholding the product’s name and defending it against improper use.

Only cheeses produced according to the rules of the Production Regulation may bear the distinctive Parmigiano Reggiano marks.

So what legal measures has the Consortium taken to safeguard the name of *Parmigiano Reggiano*?

As Parmesan’s distinctiveness and qualities are closely linked to its place of origin and method of production, it qualifies for protection as a geographical indication (GI). Put simply, a GI is a sign used on goods which have a specific geographical origin and particular qualities or reputation arising from that place of origin.

- 1 The white crystals – composed of the aminoacid tyrosine – give the cheese its characteristic crunch and result from its maturing process.
- 2 Meaning literally “of Parma” and “of Reggio Emilia.”



Elements of Parmigiano Reggiano's PDO specification

- Feeding of dairy cows is regulated – only hay, no silage or fermented feed
- Production standards – since 1991, packaging of grated Parmesan must take place in the area of origin
- Marking regulations – each “wheel” of cheese bears **marks of origin** applied by individual dairies and comprising the pin-dot writing “Parmigiano Reggiano” on the rind; the dairy number, year and month of production; a casein plate with the words “Parmigiano Reggiano” or “CFPR” and codes identifying the wheel. It also bears **selection marks** applied by the Consortium (after verification by an independent control body). This is an oval mark with the words, “Parmigiano Reggiano Consorzio Tutela” and the year of production, which is branded onto the cheese following successful inspection.

The cheese is placed in a mould to give it its final shape.

The Consortium's quest to obtain international legal protection for *Parmigiano Reggiano* began in earnest in the 1950s, following the signature of an International Convention on the Use of Appellations of Origin and Denominations of Cheeses on June 1, 1951, in the Italian town of Stresa.

Signatories of the Stresa Convention (France, Italy, the Netherlands, and Switzerland) “committed themselves to prohibiting the use of false designations of origin on their territory.” The Convention offered a higher level of protection for products considered appellations of origin (AO), such as Gorgonzola, *Pecorino Romano*, Roquefort and, of course, *Parmigiano Reggiano*. In October 1955, the Italian government issued Executive Order No. 1269 which states that only cheese produced in the *Parmigiano Reggiano* region and that complies with certain characteristics may be labeled as such.

The conclusion of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the Lisbon Agreement) in 1958 marked another step forward in the Consortium's pursuit of legal recognition.

The WIPO-administered Lisbon Agreement offers protection against any “usurpation or imitation, even if the origin of the product is indicated or if the appellation is used in translated form or accompanied by terms such as **kind, type, make, imitation, or the like**”³ through a single registration procedure. It also creates a presumption that an AO registered under the Lisbon System cannot become generic⁴ in other member countries and gives the AO holder legal standing to initiate judicial or administrative action⁵ in these countries where necessary. *Parmigiano Reggiano* was registered as an AO under the Lisbon Agreement on December 23, 1969.

International protection for GIs was further clarified following the conclusion of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) on April 15, 1994 (Articles 22 and 24). Broader Europe-wide recognition of *Parmigiano Reggiano* occurred in 1996 when it

was among the first products to be classified as a protected designation of origin (PDO) under European law.⁶

Among its many tasks, the Consortium is responsible for protecting, monitoring and safeguarding the *Parmigiano Reggiano* PDO and for

ensuring “that no other product bears names, marks and/or other distinctive marks that could breach” the PDO or cause it damage or mislead consumers.

This task is made all the more difficult by an international legal landscape which, itself, offers a cheeseboard of options for protecting quality and authentic products associated with a specific origin. While GIs play a key role in “conveying to a consumer a product's value added,” they are not defined, nor are they protected, in the same way everywhere.

In some jurisdictions, geographical terms are protected while in others they are considered generic product descriptions. Within Europe, this is a battle the Consortium has fought with some success. In 2008, the European Court of Justice dismissed the argument put forward by Germany that the term “parmesan” had become a generic name and concluded that it is an evocation of the PDO *Parmigiano Reggiano*, something which is prohibited under European law.⁷ This same principle was recently upheld by a German Court in an appeal case involving a German food company. In June 2010, the court upheld a ruling that the



Photo: Consorzio del Formaggio Parmigiano-Reggiano

³ Lisbon Agreement Article 3

⁴ Lisbon Agreement Article 6

⁵ Lisbon Agreement Article 8

⁶ By virtue of EC-Regulation No. 510/2006 of 20 March 2006, as registered through Commission Regulation No. 1107/96 of 12 June 1996.

⁷ Case C-132/05 – European Commission vs Federal Republic of Germany

company should stop making a product that mimicked *Parmigiano Reggiano*. Commenting on the verdict, the Consortium's Director, Mr. Leo Bertozzi, said it "demonstrates that true protection is possible when working tenaciously and seriously." He added, "this result reinforces our commitment to continue monitoring the market in the interests of consumers."

In the many countries in which GIs are actively protected as a form of intellectual property, some provide a specific or *sui generis* system of GI laws and others opt to use their trademark systems⁸ (using collective or certification marks), laws against unfair competition, consumer protection laws, or specific laws or decrees that recognize individual GIs. This has important implications for an entity such as the Consortium insofar as efforts to defend the interests of their PDO need to be complemented by an effective trademark strategy.

In many ways, products with famous names like *Parmigiano Reggiano* are akin to top brands. As such, the Consortium's trademark strategy is a key element in safeguarding the reputation of the *Parmigiano Reggiano* brand internationally. To this end the Consortium has registered a number of marks, for example, to distinguish pre-packaged (grated and portioned) *Parmigiano Reggiano*. Protection has been sought for these marks using WIPO's Madrid System for the International Registration of Marks.

There are currently 10,000 protected GIs in the world with an estimated trade value of over US\$50 billion.⁹ Around 90 percent of these come from the 33 OECD¹⁰ countries.

The challenge of navigating a complex and highly fragmented legal landscape is further compounded by the absence of a single common registry for all GIs. While the Lisbon Agreement could serve as a basis for such a global registry, its ability to do so has, to date, been hampered by persistently low levels of membership. WIPO is currently working with the 27 contracting parties of the Agreement to explore ways to expand membership of the system – see box.

In spite of its increasing ability to tackle imitators of its iconic cheese, the Consortium continues to face challenges associated with the complexity of the legal landscape. In a recent case in Mexico, the Consortium pursued a company that had unduly

“The secret of the goodness originates in the place of origin, in the natural feed, and in the high quality milk with no additives.”

Conorzio del Formaggio Parmigiano-Reggiano

named its product *Parmigiano Reggiano* and “affixed on it identical or similar symbols or indications to those registered as collective marks by the Consorzio,” namely *Parmigiano Reggiano* (Reg. No.

650677) and *Parmigiano Reggiano Consorzio Tutela* (Reg. No. 638817), without authorization.

As such use presented a high risk of confusing consumers, the Consortium sought to obtain a preliminary injunction ordering the seizure of the infringing goods.

An injunction was granted for the infringement of the Consortium's collective trademarks registered in Mexico, but not for the infringement of the *Parmigiano Reggiano* AO. This was because Article 229 of the Mexican IP law required that the right holder (the Consortium in this case) should clearly indicate on the product's packaging or wrapping (e.g. using the symbol ®) that it was protected by an industrial property right. The Mexican Supreme Court ruled that this provision only applies to patents and trademarks and not to AOs. It ruled, on the one hand, that IP rights, trademarks and AOs are separate and distinct in nature each bearing a different process of recognition. On the other hand, it ruled that the “adequate publicity” principle embodied in Article 229 was satisfied in respect of *Parmigiano Reggiano* by its registration in WIPO's International (Lisbon) Register and by its publication in the WIPO *Appellations of Origin* bulletin. This supported the Consortium's move to stop the company from commercializing its imitation parmesan in Mexico.

The Consortium continues to carefully navigate a complex international legal landscape. Against a backdrop of rising global demand for the cheese, it is working to raise consumer awareness about

The stenciling band bears the inscriptions PARMIGIANO-REGGIANO, DOP, CONSORZIO TUTELA, the identification number of the producing dairy, and the month and year of production.



Photo: Conorzio del Formaggio Parmigiano-Reggiano

8 Guide to Geographical Indications – Linking Products and their Origins, ITC, 2009

9 *Ibid*

10 OECD – Organisation for Economic Co-operation and Development



About the Lisbon Agreement

The Lisbon Agreement was concluded in response to the specific need for an international system to facilitate international protection of a special category of GIs, namely, "appellations of origin" by means of their registration with WIPO through a single, simple and cost-effective procedure.

In many countries, goods bearing an appellation of origin represent a substantial share of exports. As economically important assets, it is important that such appellations are effectively protected against appropriation in the largest possible number of countries. The Lisbon system can help countries protect their national economic interest by facilitating the registration of these appellations in multiple countries.

The Working Group on the Development of the Lisbon System was established in 2008 to explore ways to expand the geographical scope and effectiveness of the Lisbon system. At its last meeting in Autumn 2010,¹¹ the Working Group expressed broad support for:

- opening up the Lisbon system to the accession of competent international organizations (IGOs), such as the European Union and the African Intellectual Property Organization (OAPI);
- introducing two separate definitions in the Lisbon Agreement; one for AOs and another for GIs; such a development would accommodate a broader spectrum of national systems;
- extending the protection conferred by the Lisbon Agreement to traditional non-geographical indications, i.e. products that bear non-geographical names but which have a geographical connotation, e.g. grappa.

The Working Group also requested that WIPO prepare draft provisions on a range of topics, including definitions, scope of protection, prior users, applications for trans-border AOs and GIs, and accession criteria for IGOs. It also called for WIPO to prepare a study on the possibility of dispute settlement within the Lisbon system.

11 The second meeting of the Lisbon Working Group took place in Geneva from August 30 to September 3, 2010.

the unique qualities of genuine Parmesan. "This will help ensure that consumers make informed choices and are not duped into buying an imitation product which is often of lower quality, contains additives and is industrially produced," noted Mr. Igino Moroni, the Consortium's spokesman.

Parmigiano Reggiano: **Some facts**

12 months	minimum aging process
16 liters of milk	to make 1kg of cheese
550 liters of milk	to make one wheel
39 kg	weight of a wheel
20-24 months	average ageing of the wheels
0 additives	100 percent natural product
2,947,292	wheels produced in 2009

In today's increasingly globalized and highly competitive marketplace, commercial success hinges on product differentiation. There is growing recognition among policymakers that GIs offer an opportunity for market-oriented rural development in countries that produce goods with unique physical and cultural attributes which have the potential to translate into distinc-

tive products and, therefore, to become highly valuable commercial assets. *Parmigiano Reggiano*, for example, is a multi-million euro business that has supported the development of the region's economy. The Consortium's experience in defending the integrity of its producers' cheese offers useful insights and lessons for those embarking on their own GI journey.



Each cheese wheel is inspected by Consortium experts.

VACCINE DELIVERY BREAKTHROUGH

Infectious diseases kill millions of people every year and children under the age of five, especially those in developing countries, are particularly vulnerable. While significant progress has been made through global immunization campaigns to protect against many of these diseases, the delivery of vaccines to target populations is costly and requires considerable logistical support. All vaccines currently recommended by the World Health Organization (WHO) to treat these diseases – DTP (diphtheria, tetanus, pertussis (whooping cough)), BCG (tuberculosis), oral polio vaccine (poliomyelitis), yellow fever (for countries at risk) and measles – require cold storage (between 2°C and 8°C) to remain stable and viable. This can significantly increase the cost per dose of these vaccines and can result in significant vaccine wastage arising from breaks in the cold chain. Equally, if not more importantly, it leads to a significant proportion of ineffective vaccines being administered with consequent loss of life. Some estimate that up to 40% or more of vaccines are ineffective in sub-Saharan Africa. Last year, British scientists made a breakthrough that “offers a simple and cheap way of making vaccines stable – even at tropical temperatures,” using a technology that promises to “revolutionize vaccination efforts.”

In early 2010, scientists from the Jenner Institute, University of Oxford and from the British company Nova Bio-Pharma Technologies,

carried out a proof-of-concept study¹ showing that vaccines they are developing can be stabilized for months using Nova’s patented Hypodermic Rehydration Injection System (HydRIS).

“Currently vaccines need to be stored in a fridge or freezer. That means that you need a clinic with a nurse, a fridge and an electricity supply, and refrigeration lorries for distribution,” explains Dr. Matt Cottingham of the Jenner Institute at the University of Oxford, lead author of the study. “If you could ship vaccines at normal temperatures, you would greatly reduce cost and hugely improve access to vaccines,” he says. “You could even picture someone with a backpack taking vaccine doses on a bike into remote villages.”

The team demonstrated that two different virus-based vaccines could be stored on sugar-stabilized membranes for 6 months at 45°C without any deterioration. When stored at 37°C for 12 months, these vaccines showed only very small losses in the amount of viral vaccine re-obtained from the membrane.

“We’ve shown that a very simple way of heat-stabilizing vaccines works for two viruses that are being used as the basis for novel vaccines in development,” Professor Adrian Hill of Oxford University observed. “This is very exciting scientifically, because these viruses are fragile. If we are able to stabilize these, other vaccines are likely to be easier.”



Photo: Oxford University

New system offers cheap way to make vaccines stable

The vaccines use live viruses that have been engineered so that when they enter the body they stimulate an effective immune response without replicating and causing infection. A long shelf life for live-virus-based vaccines is therefore desirable when delivering these vaccines to patients in remote areas.

Using this method, vaccines are mixed with the sugars trehalose² and sucrose. This mixture is left to dry slowly on a filter or membrane where it eventually solidifies to form a thin sugary film. This preserves the active part of the vaccine “in a kind of suspended animation” and protects it against deterioration even at high temperatures. By flushing the membrane with water, the vaccine is instantly rehydrated. “The beauty of this approach is that a simple plastic cartridge, containing the membrane with vaccine dried on, can be placed on the end of a syringe,” explains Dr. Cottingham. “Pushing a water solution from the syringe over the membrane would then release the vaccine and inject it into the patient.”

1 This research was funded by the Grand Challenges in Global Health partnership of the Bill & Melinda Gates Foundation, with additional financial support from the Wellcome Trust.

2 Trehalose – is a sugar associated with the ability of plants and animals to withstand prolonged periods of extreme dryness. When rehydration occurs, its properties enable normal cellular activity to resume without the major, lethal damage that would normally follow a dehydration/rehydration cycle.



Isis Innovation

Isis Innovation, Oxford University's technology transfer company, manages the University's intellectual property portfolio. It works with University researchers to identify, protect and market technologies through licensing, through the establishment of spin-off companies and through sales. On average, Isis Innovation files one new patent application each week. It has concluded 400 technology licensing agreements and established 64 spin-off companies. Isis also manages Oxford University Consulting which offers services to clients seeking to enhance innovative capability by giving them access to the world-class expertise of the University's academics. A separate business division, Isis Enterprise, offers consulting expertise and advice in technology transfer and open innovation to a global client base including universities, governments and industry. Established in 1987, Isis Innovation is one of the world's leading technology transfer and innovation management companies – www.isis-innovation.com



Dr. Matt Cottingham,
lead author of
the study.

For Nova's Managing Director, Peter White, "this new technique of drug delivery is one of the most exciting developments in the British pharmaceutical and biotechnology industries, especially as it can be used for highly unstable products, for instance vaccines for malaria."

Preparing vaccines that do not require refrigeration has been identified as one of the major unsolved problems of global health. Maintaining the cold chain for vaccines costs millions of dollars a year. In 2000, the total annual expenditure on immunization for low-income countries averaged US\$6 per live birth. By 2010, the cost of immunization with traditional vaccines as well as hepatitis B and Hib (haemophilus influenza type b³) vaccines reached US\$18 per live birth according to the WHO.

Dr. Michel Zaffran, Director of Project Optimize, a WHO partnership with the US-based Program for Appropriate Technology in Health said, "the development is going in the right direction. If the process was to be applied to new vaccines that would be great."

Oxford University and Nova Laboratories have submitted a patent application in relation to the stabilization of vaccines based on viruses. Patents have already been granted on the HyDRIS delivery device – described as a pharmaceutical device for the administration of substrates to patients – in most EU countries. Isis Innovation, Oxford University's technology transfer company is currently working with the research team to put a commercial strategy in place for the development of the technology.

The next step for the researchers is to validate the usefulness of the technology for other vaccines and medicinal products that place a burden on the cold chain, or that are proving difficult or too expensive to be formulated by other means such as freeze drying (lyophilization). "There is confidence that the technology can be adapted to work with various products," said Dr. Migena Bregu, spokesperson for the project.

Emphasis is also now being placed on developing good manufacturing practice (GMP)⁴ guidelines for manufacturing the multi-component vaccine-membrane-device suitable for human use; demonstrating that the technology is suitable and safe for human use and offers a superior solution to conventional means of administering vaccines; and scaling-up the technology so that it can be produced cost-effectively.

Cost is a key issue for the deployment of this technology in the longer term. As noted by Dr. Zaffran, "the catch 22 is that because many vaccines continue to be used that require a cold chain, there is little incentive for countries to purchase a heat-stable vaccine if it is more expensive than a non-heat-stable formulation of an equivalent vaccine."

The Jenner Institute's expertise in vaccine development and clinical testing combined with Nova's expertise in sugar-based formulations and drug manufacturing, Dr. Bregu said, "gives us confidence that we are on a fast and well integrated path for the progression of the technology to reach human use within the next two to five years."

While this promising technology brings us one step closer to developing vaccines that do not require refrigeration, many challenges lie ahead. One of those relates to what Dr. Zaffran refers to as the "cold-chain dogma" which has emerged in the past 30 years – the perception that all vaccines require cold storage. In fact, at least 15 vaccines that are transported and stored between 2°C and 8°C could withstand temperatures of up to 40°C. These include vaccines to prevent rotavirus, cholera and typhoid infections.

3 Most strains of *H. influenzae* are opportunistic pathogens. They usually live in their host without causing disease, but cause problems only when other factors (such as a viral infection or reduced immune function) create an opportunity. In infants and young children, *H. influenzae* type b (Hib) causes bacteremia, pneumonia and acute bacterial meningitis.

4 GMP – is part of a quality system covering the manufacture and testing of active pharmaceutical ingredients. GMP guidelines which consist of a series of general principles that must be observed during drug manufacture, outline the aspects of production and testing that can impact the quality of a product.

RAISING IP AWARENESS IN WEST AFRICA

In this article, the Director General of the African Intellectual Property Organization (OAPI), Mr. Paulin Edou Edou explains how OAPI is reaching out to members of the public in each of its 16 member states to raise awareness about the economic, social and cultural benefits of effective intellectual property (IP) protection.

What is your main priority in raising awareness about intellectual property (IP) in OAPI member states?

As IP is still rather an obscure and specialized subject in the OAPI region, one of our main priorities is to inform and educate our target audiences about IP, its role and advantages. IP information is key in this endeavor. We can't do anything without it. We are, therefore, working to improve access to information about the IP system and how it can support business and development interests. There is a great deal to be done to ensure researchers, academics, companies, students, magistrates and other legal professionals have a solid understanding of the importance of IP as a tool for economic development. The OAPI Action Plan, which covers 2007-2012 and which I launched in 2007, puts a great deal of emphasis on information and effective communication.

Why is IP awareness important in the OAPI region?

IP is an essential element in promoting economic development. Today, the countries with the strongest economic performance are knowledge-based. They use the IP system to add value to information, knowledge and ideas and to transform these intangibles into concrete economic assets. IP and economic growth are closely

intertwined in today's highly competitive globalized economy. The countries in the OAPI region need to know more about IP in order to use it to promote economic development. Used effectively and strategically, IP has the potential to generate significant social, economic and cultural benefits – inventors and creators can earn a living, companies can advance business interests, researchers can leverage results and governments can promote economic well-being.

How is OAPI reaching out to its target audiences?

The OAPI Media Initiative allows us to communicate with our target audiences. The media – television and radio networks, newspapers, magazines, the Internet and journalists – are vital partners in helping us to communicate the message of IP.

Raising IP awareness among journalists – how IP works, why it is important – is another important aspect of the OAPI Media Initiative. That is why, in cooperation with WIPO, we regularly organize training seminars on IP for journalists. This helps them to better understand IP and its relevance to economic development. Thanks to these seminars – three so far: in Yaoundé (2008), Libreville (2009) and Brazzaville (2010) – a growing number of journalists are able to report effectively on the different aspects of the IP sys-



Singers performing at an OAPI outreach event

tem. The training courses also enable journalists to ask politicians and IP specialists more relevant and probing IP-related questions.

With WIPO's support, OAPI also launched in September 2010 a new website. This upgraded, user-friendly site offers access to a wide range of IP-related information and helps fill the IP information gap in OAPI member states.

Is there any evidence that your outreach efforts are paying off?

Yes, we are seeing a growing number of radio and television programs and newspaper reports about IP in the region, and more interviews of political figures dealing with IP-related questions. In Côte d'Ivoire, IP features regularly in the local press; in Benin, there's a dedicated IP website run by a journalist trained by us; and in Mali and Cameroon, IP-related programs and documentaries frequently air on national TV networks and are covered in the written press.



In Gabon, EYO'O, the first-ever TV program dedicated to IP, raises awareness about IP issues, in particular copyright, with programs featuring some of Africa's biggest artists.

Our aim is to continue to expand and strengthen the network of IP-aware journalists through seminars for journalists organized with WIPO. The goal is to have contacts across the region, so

The OAPI Caravan Initiative is proving to be an effective means of introducing IP to the general public. For any high-profile event in one of our member states, the OAPI Caravan sets up at a local university or marketplace to attract, and engage with, a wide range of people. So far, we have used the Caravan at events in Dakar (Senegal), Yaoundé (Cameroon), Bissau (Guinea-Bissau) and Bamako (Mali), and it has been met with great enthusiasm by young people, students and businesspersons alike. The Caravan enables us to reach a broad public including, most importantly, those who might not have anyone else to speak to about IP. For example, there's a general perception that if a product is cheaper it's better, regardless of whether it is genuine or counterfeit. By discussing with the public, we can explain the risks and threats associated with purchasing counterfeit goods. Once they understand this, they are very supportive of our efforts to crack down on such illegal trade.

The OAPI Caravan distributes T-shirts, runs quizzes, and engages with passersby to discuss IP, explain what it is all about and why it is of relevance to them. It's an innovative approach and, while we will only see the concrete benefits in the coming years, it is proving a cost-effective way of raising public awareness about IP.

We still have much to do, but I hope that over the next five years, we will have succeeded in transforming the IP landscape of the OAPI region. Building broad-based awareness of IP is a key factor in achieving this goal.

Photo: OAPI



OAPI's Caravan Initiative introduces IP to the public.

The number of requests for information on IP received at OAPI's headquarters in Yaoundé (Cameroon) and in national offices has also increased. Many more students are visiting OAPI, keen to learn more about the subject. With WIPO's support, OAPI launched a Master's course on IP at the University of Yaoundé II in October 2010. This is a first in French-speaking Africa and promises to further strengthen IP expertise in the region.

Are there any other initiatives in the pipeline?

We are currently developing a video-clip to show how geographical indications can add economic value and prestige to local products and generate concrete benefits for communities and regions. Thanks to partnerships with national TV networks in the region, we plan to broadcast the clip in each of OAPI's 16 member states.

Building partnerships with media actors is, we believe, another key element in enabling us to reach the widest possible audience and in optimizing impact.

that wherever an IP-related story unfolds, there is a journalist on the spot to cover it. We also seek to stimulate debate on IP issues by making this network as interactive and as dynamic as possible. This is quite a challenge, because the network extends across 16 countries and the journalists are separated by long distances. OAPI's new website includes a forum for journalists to exchange information and views, and will also give them ready access to OAPI's IP experts. We are in the process of recruiting a journalist to manage and develop the network.

OAPI's quarterly magazine, reporting on recent IP developments at OAPI and, more broadly, within OAPI's member states, is an important vehicle for IP outreach. We aim to expand the magazine's circulation and make it a reference for users of the IP system.

How do you hope the landscape will evolve in the next five years?

We need to take the mystery out of IP. It needs to become a subject of general conversation, something that people talk about as easily as they do the weather.

FESMAN III – A GLOBAL CELEBRATION OF AFRICAN CULTURE

For three weeks at the end of December 2010, Dakar, Senegal, was the cultural capital of Africa in its role as host to the Third World Black Arts Festival – also known as FESMAN III. The event attracted some 3,200 participants, including several heads of state, as well as accomplished artists and creators from 80 countries. A celebration of African arts and culture, the Festival offered a rich program of conferences, exhibitions and musical and cultural events. In this article, **René Massiga Diouf**, a journalist with Senegalese National Television offers a taste of what was on offer.



Photo: Montiller

**African Renaissance Monument, Dakar, Senegal.
Bronze statue designed by Pierre Goudiaby.**

In December 2010, Senegal set the stage for a global celebration of the wealth and diversity of African traditions, culture and achievements, bringing together artists and intellectuals from dozens of African and African *diaspora* countries, including the United States, Brazil, Haiti, France and Cuba. The Festival was an invitation for all those who share a common African heritage to showcase the richness and variety of African cultures. As the Festival's Artistic Director, British playwright and actor, Kwame Kwei-Armah put it, the Festival was "an exercise in asking fundamental questions about Africa's place and how it relates to the rest of the world and how it intends to move itself into the 21st and 22nd centuries."

The expansive program, which reflected the theme of the Festival – African Renewal, Cultural Diversity and African Unity – was broad and diverse, ranging from modern and traditional musical concerts and dance shows to plays, exhibitions, fashion shows, literary cafés and conferences. An unprecedented line-up of artists, actors, musicians, and creators were featured, representing 16 disciplines, including, the visual arts, photography, dance, theatre, music, design, fashion, crafts,

literature, sculpture, architecture and urban culture. Brazil, "a country rich with artistic cross-pollination and cultural diversity" and with some 80 million inhabitants of African descent, was invited as the guest of honor. Some 200 Brazilian artists showcased Brazilian heritage, arts, traditions, music and cuisine throughout the Festival.

History of the Festival

The First World Festival of Black Arts was set up in 1966 in Dakar by Senegal's first President Léopold Sédar Senghor and was organized around the theme, "Significance of Black Art in the Life of People and for the People." It was an opportunity to celebrate African creativity and "to allow artists of black origin to be known and appreciated in an atmosphere of tolerance, mutual esteem and intellectual fulfillment." The second Festival took place in Lagos, Nigeria in 1977 around the theme, "Black Civilization and Education." Many eminent personalities from across the globe participated in each of these prior events.

The 2010 Festival "conveys a new vision of Africa as free, proud, creative and optimistic" and emphasized "dialogue between peoples and cultures,"¹ according to the event organizers. Mr. Kwame Kwei-Armah said the Festival was, "about the Africa we want to create for tomorrow. It's about artists across disciplines talking about the future of their art form."² He noted that a multi-disciplinary festival such as Fesman was important because "art can be a magnificent catalyst for debate on any subject... we are using these art forms to articulate a new African identity, to articulate African renaissance."

The opening ceremony, which took place in the Léopold Sédar Senghor stadium on 11 December 2010, set the tone of the Festival, highlighting the richness of African culture. Renowned African artists such as Manu Dibango, Toumani Diabate, Angélique Kidjo, Baaba Maal, Ismaël Lô and

1 <http://blackworldfestival.com/wp/en/spirit/foreword/>
2 <http://artsbeat.blogs.nytimes.com/2010/12/07/world-festival-of-black-arts-announces-lineup/>



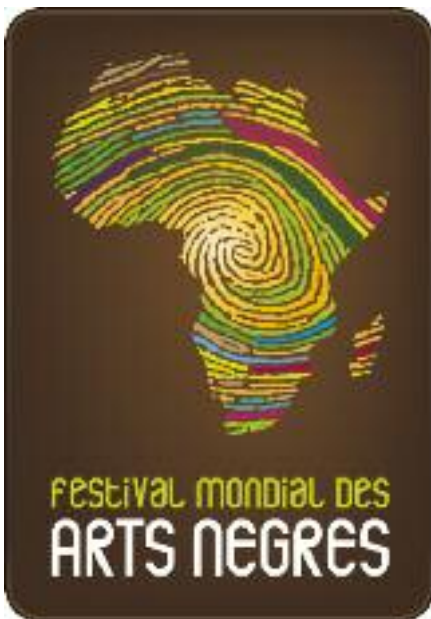
Youssou Ndour, performed before an audience of 50,000 people, including several African heads of state. In a spectacular sound and light show, the Ivorian choreographer Georges Mamboye brought together on the stage some 2,000 dancers from across the continent to portray the history of black peoples from ancient Egypt through the slave trade to the independence of African nations and the current African renaissance movement.³ Underscoring the theme of unity, the choreographer noted, "I think that culture will be the best way to reconcile everyone... What I wanted in this choreography was to get away from African roots... and give them a contemporary tone."

Diagne, Dr. Cheikh M'Backé Diop, Congolese historian, Mr. Théophile Obenga, Egyptian economist, Mr. Samir Amin, and many others.

The eminent Senegalese writer, historian, politician and President of the Forum and Colloquium Commission, Professor Iba Der Thiam, predicted that "Africa will be the continent of the twenty-first century." In his view, the biggest challenge lay in releasing Africans from the dictates of imposed thought. He called on intellectuals to do their utmost to support a process of "mental decolonization."

Many commentators recognized that the continent enjoys impressive wealth and acknowl-

Photo: Festival



Reggae singer Tiken Jah Fakoly from Côte d'Ivoire at FESMAN III



Internationally recognized afro-pop singer-songwriter, Salif Keita from Mali at FESMAN III.

In his remarks, Senegal's President Abdoulaye Wade recalled that the message of the Festival was not only to contemplate the Continent's "brilliant past," about which Africans "should be proud" but to build its future and to strengthen relations within Africa and *diaspora* countries. He appealed for unity and said, "Let us refuse to remain in stagnation while our continent is rich but which... has been impoverished."

The Festival's rich and varied program also offered an opportunity to reflect on the contribution of African peoples to human progress. It included a series of roundtable discussions on issues of major concern featuring eminent intellectuals from Africa, Europe, the United States and *diaspora* countries. These included different aspects of the African renaissance, the impact of the African brain drain, and the contribution of black peoples to science and technology, art and culture. Speakers included the Senegalese philosophers, Professor Souleymane Bachir Diagne and Mr. Mamoussé

edged the view that "Africa is not poor, it has been impoverished" and that the real battle lies in its future restoration and "construction."

The roundtable discussion on the contribution of black peoples to science and technology underscored the many scientific and technological achievements of the peoples of Africa and *diaspora* countries. It offered a forum to exchange ideas on ways to enhance cooperation between Africa and *diaspora* countries in the use of science and technology for sustainable development in Africa. WIPO's representative in the debate, Mr. Marc Séry-Koré, said that an effective intellectual property system is an essential element in creating a favorable environment for scientific and technological innovation, effective knowledge transfer and the commercialization of goods and services. These, he stressed, were essential factors in enabling social, economic and cultural development in Africa and the continent's full integration into the global knowledge economy.

³ <http://nehandaradio.com/2010/12/16/zimbabwe-enters-world-black-arts-festival/>

WIPO: an official partner of FESMAN III

WIPO was a natural choice as an official partner of the Festival given its commitment to developing a balanced and accessible international IP system which promotes and rewards creativity, stimulates innovation and contributes to economic development while safeguarding the public interest.

The Organization's participation in this major cultural event offered an opportunity to raise awareness about how strategic use of an effective IP system can bring economic, social and cultural benefits. In taking the initiative to organize the Forum on Intellectual Property in Art and Culture on December 17, 2010, the Organization was able to reach out to members of the artistic community, intellectuals, policymakers, consumers and other stakeholders to explain the role of copyright in safeguarding the interests of African creators and in promoting cultural development generally.

Two other roundtables organized by WIPO provided an opportunity for policymakers, film producers, artists, consumers and many other stakeholders to explore the link between IP protection and the promotion of the arts, culture and innovation in Africa and beyond. Participants exchanged views on the various challenges confronting African creators, particularly the menace of counterfeiting and piracy, which was threatening the livelihoods of many of them. These events helped raise awareness among the artistic community about copyright and how it can be used to license, distribute and commercialize creations in Africa and across the globe.

A range of literary activities enabled members of the public to meet with leading African authors and stimulated debate among school children and students about the challenge of African renewal. Theater productions about African tradition helped many of them to understand the origin of Negro-African civilization.

Concerts were also held in several cities across the country. In Dakar, these featured major names from the world of music, including Wyclef Jean, To Face Idibia, Angélique Kidjo, Akon, Salif Keita, the great diva, Aïcha Koné, Bembeya Jazz, Lokua Kanza, and the French rapper Saïd M'Roumbaba alias Soprano. The party atmosphere also spread to regions such as Saint-Louis and Ziguinchor, where artists including Alpha Blondy, Tiken Jah Fakoly, Youssou Ndour, and Urban Bush Woman performed. The Beninoise singer-songwriter, Angélique Kidjo said, "as an artist, to celebrate the richness of African culture that goes beyond the borders of Africa is an honor, a joy." An Ivorian singer interviewed by the Senegalese newspaper *Festival* noted that "an event of this scale gives a different image of Africa... an event of this kind enhances African culture. The other Africa, the Africa which is not continually crying. With Fesman III, it is an Africa which is not wailing but is laughing. We are celebrating love and our culture."

The continent as a whole lived in time with the Festival. Access to the event was free of charge to encourage broad participation. Two purpose-built Festival villages (in Ngor and Almadies) each offering 2,400 places, were home to the many performers who displayed cultural aspects of their respective countries, highlighting the specific character of their identity in this area. A dancer from the Moroccan delegation confided, "Our group performs all kinds of urban dances, the atmosphere is explosive here, we show what we are able to do, which is the essence of our being as Moroccans and Africans, and we are happy to express all our talent before such an audience." Another performer from Mali, Victor Sangaré, thought the village was a great idea, bringing people into contact with each other. Here "it is total involvement," he noted. For Kwame Kwei-Armah the artist's village was "like the UN... you sit in the cafeteria and Mauritians are jamming, the Guadeloupeans are giving impromptu readings – it's artistic heaven."⁴

This three-week cultural extravaganza, billed as the biggest global celebration of black culture, has been characterized as "an unqualified success" by Senegal's President Abdoulaye Wade.⁵

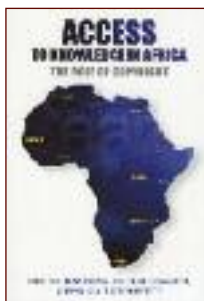
The director of the Festival, Mr. Abdul Aziz Sow, speaking at the end of the 3-week extravaganza congratulated all the artists and festival-goers. He said that the event had "not only been one of singing and dancing, but of a sober reflection during plenary sessions during which intellectual discourses focused on the past and future role and contribution of black people in developing the creative art and culture sector." The reflections resulting from these discussions will, he noted, help shape the future of arts and culture in Africa and the world as a whole.

⁴ www.guardian.co.uk/stage/2011/jan/03/world-festival-of-black-arts-kwei-armah

⁵ Reported by the Senegalese Press Agency

ACCESS TO KNOWLEDGE IN AFRICA

The role of copyright



“Access to Knowledge in Africa: the role of copyright” can be downloaded free-of-charge at: www.aca2k.org and is licensed under a Creative Commons license.

In this article, Dick Kawooya,¹ presents the recently published book *Access to Knowledge in Africa: The Role of Copyright*. The international interdisciplinary research project known as African Copyright and Access to Knowledge (ACA2K) started in 2008 with support from the International Development Research Centre (IDRC) of Canada and the Shuttleworth Foundation of South Africa. Its primary objective was to examine the impact of copyright on access to knowledge in Africa.

As a response to the critical need for empirical research in this area, the project undertook a comparative study of eight African countries, namely, Egypt, Ghana, Kenya, Morocco, Mozambique, Senegal, South Africa and Uganda. These countries are broadly representative of Africa’s linguistic, religious, political, economic and historic diversity, as well as its various legal traditions.

gathering and comparative analysis to test two hypotheses: first, that the copyright environments in the countries studied currently do not maximize access to knowledge contained in learning materials; second, that changes can be made to these countries’ copyright environments to improve access. The book highlights some of the most significant findings of the research project. It is intended

to study and compare copyright law and practice in all the countries studied. It found that laws and policies governing copyright in most African countries are typically not grounded in the realities of African societies and are largely crafted without sufficient empirical evidence.

“Even those who consider themselves experts on IP will benefit immensely from this book and the broader ACA2K project’s work.”

Sisile Musungu, President, IQsensato, Geneva

From the outset the project was geared towards practical, applied research with a view to providing “empirical evidence that could contribute positively towards copyright reform processes throughout the continent and internationally.” The aim was to create a network of African researchers who would gather evidence about the impact of copyright on access to educational and learning materials in the featured countries.

as a concrete contribution to the understanding of the legal and practical effects of copyright on access to learning materials in Africa, and as a possible model for future empirical research in support of evidence-based policymaking in this area.

The research revealed that all eight countries studied have copyright laws that meet, and in many cases exceed, the minimum international standards reflected in applicable international instruments and agreements. Findings revealed that no coun-

try studied takes advantage of all, or even most of, the flexibilities that exist in relevant international agreements. The study also highlights a “disconnect” between national copyright laws and on-the-ground practices in all the countries studied. It found that laws and policies governing copyright in most African countries are typically not grounded in the realities of African societies and are largely crafted without sufficient empirical evidence.

The book gives the reader an understanding of the legal and practical copyright issues associated with accessing learning materials in Africa. It offers an in-depth examination of copyright and access issues arising in each of the countries studied and a comparative analysis of findings across the countries studied. It is hoped that the insights and lessons drawn from the study will support policymakers in implementing the WIPO Development Agenda, as well as contribute to international discussions relating to exceptions and limitations under international copyright law.

¹ *ACA2K Lead Researcher. Email: kawooya@uwm.edu

IN THE NEWS

A decade of Wikipedia

Wikipedia, the free multilingual encyclopedia that has become an accepted part of daily life for the on-line community celebrated its 10th birthday on January 15, this year. In a decade it has become the fifth most visited site in the world offering instant and free access to some 17 million articles. Dubbed “the poster child of collaboration” and representing the regularly updated collective knowledge of hundreds of thousands of people, it has changed the way we access infor-

mation on the Internet and contribute to its creation. It departs from the traditional style of compiling encyclopedias in favor of an open collaborative editing model.

Wikipedia was founded by Larry Sanger and Jimmy Wales in 2001. Its name was coined by Mr. Sanger and blends the Hawaiian word “wiki” meaning “quick” with “encyclopedia.” Mr. Wales has described Wikipedia as “an effort to create and distribute a free encyclopedia of the highest possible

quality to every single person on the planet in their own language.” It currently exists in 262 language versions. According to Mr. Wales, “Wikipedia is a public resource created and maintained by hundreds of thousands of volunteers, relied on by over 400 million people and paid for by half a million donors. It’s truly user-created, supported and maintained.” The site is managed by the Wikimedia Foundation a U.S.-based nonprofit charitable organization. ■

Radiohead approves release of bootleg DVD

The pioneering indie rock band, Radiohead, recently approved the release of an “official bootleg” DVD of their impromptu and unrecorded Haiti benefit concert in Hollywood’s Henry Fonda Theatre in 2010, according to a BBC news report dated 10 January 2011. For the past year, fans have been putting together a DVD compilation of footage shot by 14 people at the concert. The band agreed to the DVD’s release on condition that proceeds went to Oxfam’s emergency fund. The film was made available online over the holiday period and so far has raised over US\$11,500. A spokesperson for Oxfam said, “We are thrilled to have the support of Radiohead and their smart and motivated fans to help us raise much needed funds for our work in Haiti.” ■

Consumer Electronics Show 2011 packed with gadgetry

The Consumer Electronics Association’s 2011 CES, the world’s largest consumer electronics tradeshow, Las Vegas, USA, January 6-9, saw the launch of more than 80 tablet PCs as well as wireless 4G LTE, connected home technologies,¹ smart appliances and electric vehicles. The event attracted over 2,700 technology companies across global industries, over 140,000 industry professionals and over 30,000 inter-

national attendees. “The 2011 International CES was a phenomenal worldwide event that spanned global industries including technology, automotive and entertainment markets,” said Gary Shapiro, CEA’s President and CEO. “This global technology gathering” he noted, “featured more innovation, more news, more social media buzz and more international attendance than any other show in CES history.” ■

¹ Where all home appliances are on a single network.

Miners sign deal to protect their IP rights

The 33 miners trapped underground for 70 days in Chile’s Atacama desert in 2010 recently signed an agreement with the Chilean law firms *Carey y Cía* and *Remberto Valdés Abogados y Consultores* for the protection, licensing and sale of the IP rights over their experience in the San José mine.

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