

Towards a commons-based understanding of knowledge and information



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Messages

- (1) For UNESCO and ORBICOM I would like to raise awareness for the importance of the concept of the commons, in our case of the immaterial commons such as knowledge and information, for the development of *inclusive*, *just*, *and sustainable knowledge societies*, as emphasized by the UNESCO in the WSIS process.
- (2) The concept of knowledge and information as commons is useful in order to overcome the *current deadlock in the worldwide copyright regulation* which is currently heavily dominated by the commercial exploitation of knowledge and information, by strongly supporting exclusive private property rights claims and by broadly neglecting the public need for free and open access and use of published knowledge.



Common Pool Resources



Commons

res nullius

res privatae

res publicae

The

Commons

Common heritage of nature

Common heritage of social life

Commons heritage of cultural creativity

> knowledge and information

Commons are institutionalized "common-pool resou<u>rces"</u>

Figure 1.1 THE THREE FORKS OF THE CO.

Nature

Air...water...dna...photosynthesis...seeds...topsoil...airwaves...minerals... animals...plants...antibiotics...oceans...topson...arrwaves....runce res communes wetlands...forests...rivers...lakes...solar energy...wind energy...

Community

Streets...playgrounds...the calendar...holidays...universities...libraries...museums. social insurance...law...money...accounting standards...capital markets... political institutions...farmers' markets...flea markets...craigslist...

Culture

Language...philosophy...religion...physics...chemistry...musical instruments... classical music...jazz...ballet...hip-hop...astronomy...electronics...the internet... classical management of the internet of the in

From: Peter Barnes: Capitalism 3.0

Commons are socially constructed.

Institutionalizing common-pool resources making them commons

Common Pool Resources

clean air and water
oil pools
air
knowledge

institutionalization
procedures

Commons

accessible usable under certain conditions

Institutionalizing common-pool resources making them commons

privatization
enclosure of the mind
profitability
scarce resource

It's our choice

sharing justice, fairness openness inclusion sustainabilty

knowledge resources

Private information markets

Principles, values

institutionalization

procedures

communication (reaching a consensus)

commitments

contracts

rules, laws, legal norms

control mechanisms, sanctions

access to information products services systems

Commons-based information markets

Models for the institutionalization of knowledge on commons-based information markets

k&i objects

a property of mankind

default: open access

attributed to

the creator of knowledge with personal moral rights

used as

a means of personal and societal development

k&i objects

exception: commercial exploitation

under the condition

of

non-exclusive exploitation rights free access to everyone is guaranteed

sufficient compensation to the public



monetary, tax



value-adding effects

What needs to be done? Consequences

Consequences

Needed

a new understanding of intellectual property

knowledge as a commons is not to be considered a res nullius, which can be used ad libitum by everyone for whatever purpose

Knowledge and its derivative information products cannot be the subject of exclusive private property rights

Consequences

a new understanding of intellectual property

a new understanding of copyright free access → the default commercial exploitation → the exception

developing a concept of common property rights without denying private individual property rights

Conclusion

Knowledge and its derivative information products cannot be the subject of exclusive private property rights

Production and use of knowledge and its derivative information products **depend on commons-based institutionalization forms** appropriate to electronic environments

Commons-based information markets do not make the commercial use of knowledge and its derivative information products impossible but rather are the realistic chance for the information economy to survive successfully

Questions? Discussion

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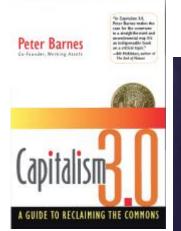
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