

# Ideas are less free than ever before

BY BRIAN MARTIN

Copyrights and patents are forms of intellectual monopoly that mainly benefit powerful groups. Largely unquestioned until recently, there is now the beginning of an opposition movement.

Independent inventors have little to gain from patents. Microcomputer pioneer Don Lancaster says that patents do not prevent others from using your ideas. They only entitle you to sue for patent infringement. That's not much use unless you're rich.

Against a big company, an independent inventor has little chance, especially since, as Lancaster says, "There is not one patent in one thousand that cannot be invalidated or severely minimised by a diligent enough search for prior art done in obscure enough places".

He goes further to say that big industry doesn't buy ideas or patents and doesn't pay patent royalties voluntarily. Instead of patenting, Lancaster suggests publishing ideas in a major magazine, thereby putting them in the public domain where they can't be patented by others.

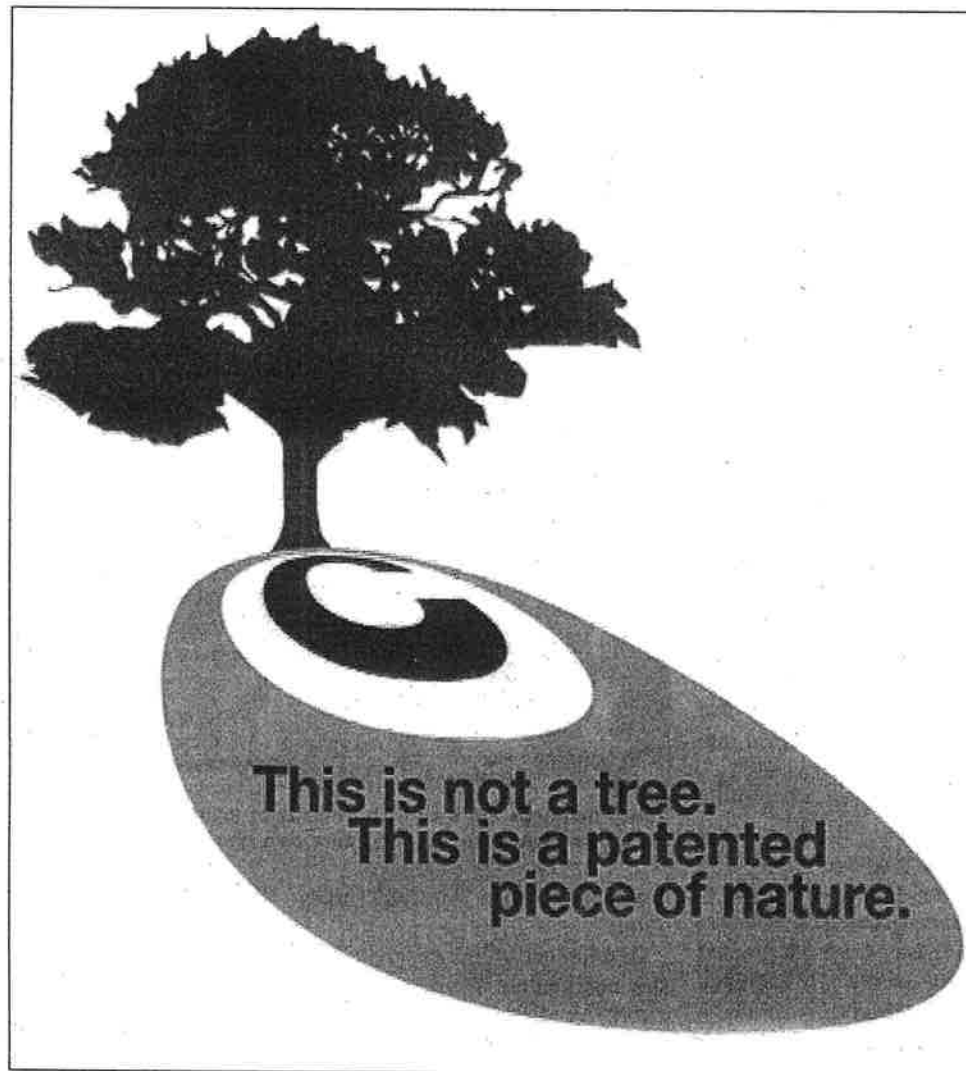
Biotechnology companies look around for natural products with beneficial properties, such as the neem tree, long used in rural India for making various products. When the companies take out patents on neem chemicals, uses and products, they pay nothing for the labour of local people who discovered and developed them. Third World activists are now organising against this form of "biopiracy".

Software companies make enormous amounts of money through their monopolies over computer programs that can be copied for the cost of a few cents.

There's an alternative: free software. With the computer code openly accessible, anyone can contribute to testing and improving it. The result is high quality software, such as the Linux operating system, free for the asking.

Yet if you read computer pages in newspapers or visit computer shops, almost all the information is about proprietary software, because that's where advertising and profits come from.

Large pharmaceutical companies use patents to stop other companies making cheaper copies of their drugs. The result is massive waste as companies compete by developing closely similar drugs and spending enormous sums on



Poster promoting the counter-essay competition.

From <www.wipout.net>

advertising and promotion. Development of drugs for common diseases in poor countries is neglected — there's no profit in it.

Pharmaceutical companies have tried to stop South Africa from using cheap copies of anti-AIDS drugs. They finally buckled earlier this year due to bad publicity. Countries are legally entitled to invoke compulsory licensing to obtain cheaper drugs for public health reasons, but big business and the governments of rich countries exert enormous pressure to oppose this.

These are a few examples of how copyrights and patents serve the rich and powerful.

Copyrights and patents are examples of what is commonly called "intellectual property", but

a better expression is "intellectual monopoly". A strange feature of the rhetoric about free markets is that ideas are now less free than ever before.

The official rationale for intellectual property/monopoly is to encourage greater production of ideas, by giving incentives to producers through granting temporary and limited monopoly rights.

But most actual intellectual producers are salaried employees. Rights to their intellectual products are owned by the employer.

Furthermore, in recent decades the scope and duration of intellectual monopolies have grown out of all proportion. If the point is to encourage

production of more ideas, why does copyright last for 70 years after the death of the author? Does knowing that your writings are protected by copyright for 70 rather than, say, 10 years after you die really give you a greater incentive to produce?

Also, why is every business memo covered by copyright? Surely there's no need to encourage more business memos.

Actually, there are plenty of ideas in the world. Copyrights and patents lock up what should be freely available for everyone, creating inequality by enclosing the "information commons".

Only a few best-selling authors make big money from their books, while most others receive only peanuts from their royalties. Nearly all countries except the US pay more for using foreign intellectual products than they do by selling their own. Intellectual monopolies are essentially a way of sucking money out of the many and giving it to a few.

From a social point of view, it makes much more sense to expand the public domain, making intellectual products freely available, at the same time establishing alternative systems to pay contributors, such as wages, fees, grants or guaranteed income.

It is now incredibly easy to copy most intellectual products. People use photocopiers, video recorders, email and music files to make copies, often in violation of the law. While widespread copying helps to discredit intellectual monopolies, it does not directly undermine the overall system.

There are opponents of intellectual monopolies in various areas, including software, pharmaceuticals and genetic engineering. But until recently there has been nothing to bring them together.

In March, the World Intellectual Property Organisation announced a student essay competition. It was pretty obvious that only essays favouring intellectual monopolies were expected.

In response to the WIPO contest, a group of critics set up a counter-essay contest, inviting essays from around the world giving the other side of the story, such as:

- "I'm HIV-positive but I can't afford anti-HIV drugs due to patent law";
- "I'm a farmer but the seeds I want are protected by patents";
- "I'm an independent scientist but can't afford to access scientific journals on expensive databases";
- "I'm a teacher but I can only assign very old books since ones under copyright are too expensive".

The organisers are not opposed to payment for intellectual work, but do oppose "the over-protection of intellectual property and according it trumping power over other values and social priorities such as access to medicines, to education, and to the sharing of ideas and information".

The counter-essay contest was launched on September 4. Essays of less than 2000 words are welcome from anyone on the topic "What does intellectual property mean to you in your daily life?" and are due by March 15, 2002.

There is a small prize fund, but the emphasis is not on competition but instead on stimulating debate. In addition to essays, point-of-view contributions up to 400 words are welcome for posting on the contest site.

For more information, send a query to <contact@wipout.net> or see the website <http://www.wipout.net/>. ■

## Sexism: it's everywhere you look

A recently released Just Jeans television commercial for "candy stitch" jeans shows three women moving along the conveyor belt of a production line. They are still and their faces shiny, as if they were mannequins. The women are all thin and tall.

Aimed at young women, the ad implies that if you buy candy stitch then you will be as attractive as the women on the conveyor belt. To be attractive is to be on display, inarticulate and thin.

The TV commercials for Dove chocolate are also particularly offensive. When the men in the commercial eat the chocolate they begin talking about things that society stereotypes as "feminine": they talk about hairstyles and clothing and cry over an ended relationship.

The ad perpetuates the idea that women only talk about trivial things, are obsessed with appearance and are overly emotional.

Conducting a survey of 100 Channel 10 commercials shown 4.30-6.30pm, I found that over 50% featured women cooking, shopping, cleaning or providing health care for their families. These commercials promote the notion that "a woman's place is in the home" — that women willingly provide these services for free.

The majority of Australians watch TV regularly. The images of women presented (especially



repeatedly) impacts upon how women value themselves and what is expected of them.

Women portrayed on television are overwhelmingly thin, or underweight. This body shape is unrealistic for the vast majority of the population. Constantly comparing themselves to these standards, women are set up for a roller-coaster ride of self-hatred, resulting in eating disorders for one in three women.

Sexist advertising is everywhere you look in today's society — newspapers, magazines, shop-fronts and on billboards.

Advertising is becoming more blatantly sexist and for the most part this sexism is accepted without protest. Such ideas are not being challenged consistently and therefore advertisers can get away with more and more sexist images of women.

Opposing sexism can have a positive impact, however. International Women's Day and Reclaim the Night are the main events that place demands on the government to end discrimination against women.

Brisbane feminists, outraged by sexist Windsor Smith ads, went on a graffiti campaign. Resulting support for the graffiti artists caused the ad to be withdrawn from circulation. In a protest building towards International Women's Day 2000, Sydney members of Resistance marched through a central shopping district yelling and pointing at sexist images and shopfront displays.

The worldwide mobilisations against institutions such as the International Monetary Fund, the World Bank and the World Economic Forum, are also important. Women on the streets, fighting a system that ensures that women do 60% of the world's work and own 4% of the world's wealth, challenge the idea that women are inarticulate, obsessed with trivia and happiest in the home.

We can't allow this blatant sexism to go unchallenged. Demonstrating on the streets shows people that this kind of advertising makes us angry, and that we won't accept it. Demonstrating will counter the sexist ideas of society that are reflected in advertising. These are the kinds of positive steps — graffiti runs, marching on International Women's Day, joining the anti-corporate protests — we can take in the fight against sexism.

BY LISA LINES

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