

Hot topics in Access to Knowledge

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Here is a brief roundup (with links to further information) on some of the most important and interesting topics on the [copyright](#) [7] and [A2K](#) [8] radar this month:

- Our close partners [TACD](#) [9] have recently released two important new resolutions: one on the [enforcement of intellectual property rights](#) [10] and the other on [copyright terms](#) [11]. These resolutions (to which [CI](#) [12] and some of its members contributed) include some innovative and interesting proposals, including that if a country has extended its copyright term beyond the minimum (say, from 50 years to 70 years), the extra 20 years should be made subject to some new, stringent preconditions, including the requirement for the right holder to register its intention to take advantage of the extended term. Whilst ambitious, this proposal is a very important one which could go a considerable way towards rebalancing copyright law in favour of consumers and creators alike.
- Google [announced the availability](#) [13] mid next year of a new open source operating system "Chrome", targetted at low-cost "netbook" computers, which will be based on and incorporate the open source operating system kernel, [Linux](#) [14]. Deals with computer system manufacturers such as Asus, Acer, HP and Toshiba have been announced. Why is this relevant to A2K? Because low-cost computing and open source [software](#) [15] are important tools in broadening access to information and knowledge, and because the dominant operating system vendor, Microsoft has been cited for a number of unfair trade practices that limit consumer choice by locking them in to using its own products exclusively. Anything to loosen Microsoft's effective monopoly can only be good for consumers.
- In [other good news](#) [16] from Google, it is now possible to search for [Creative Commons](#) [17] licensed images using its [image search engine](#) [18]. It has also been possible for some time to do this with the (not Google-owned!) [Flickr](#) [19] service.
- A boost in the fight for fairer copyright laws has come from unexpected quarters, in the form of [a lawsuit](#) [20] from a corporation asserting copyright against Australian rock band Men at Work. It is alleged that the band took a few notes from the classic Australia children's rhyme *Kookaburra Sits in the Old Gum Tree* - which, in fairness, they probably did; it's an entirely apt musical allusion for a song about Australia. But since *Kookaburra* (like *Happy Birthday*) is still in copyright, this amounts, so it is claimed, to a copyright infringement. How is this a boost for Access to Knowledge? Simply because the lawsuit is so ridiculous and unfair that it graphically demonstrates the need for reform of Australian copyright law to include a "[fair use](#) [21]" exception.
- Further north (to the home of CI's A2K secretariat), like many other countries Malaysia has started to toughen up on copyright enforcement. Earlier this year, two local shop clerks were bewildered to receive a crippling fine of 2 million ringgit (over half a million US dollars) for working in a store that sold pirated DVDs. Now another local shop worker faces an incredible [40 million ringgit fine](#) [22] for selling a single karaoke player, loaded with unlicensed songs. Whilst CI does not endorse commercial-scale copyright infringement, we cannot countenance

such disproportionate fines, either, particularly against poor shop assistants from a developing country.

- Even [the Pope agrees with us](#) [23], stating in his latest encyclical that "On the part of rich countries, there is excessive zeal for protecting knowledge through an unduly rigid assertion of the right to intellectual property, especially in the field of health care."
- But rich countries continue to press for tougher and tougher copyright enforcement mechanisms heedless of differences in local circumstances and levels of development. A recent meeting of the [G8 Intellectual Property Experts Group](#) [24] pushed for the development of more "effective ways to combat digital piracy on the Internet and to advance the protection and enforcement of Intellectual Property Rights, including establishing legal liability in the digital environment".
- Thankfully there are a few upcoming events at which CI will have the opportunity to present a balancing view. These include the [TACD Paris Accord](#) [25] meeting on 23 and 24 October, a Free Culture and Free Knowledge International Forum in Barcelona from 30 October to 1 November, the next meeting of [WIPO](#) [26]'s Standing Committee on Copyright and Related Rights (date TBC), and the next [Internet Governance Forum](#) [27] meeting in Egypt on 15 to 18 November.

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