

Whose Game ?

Standards and their patents at 21st century's crossroads

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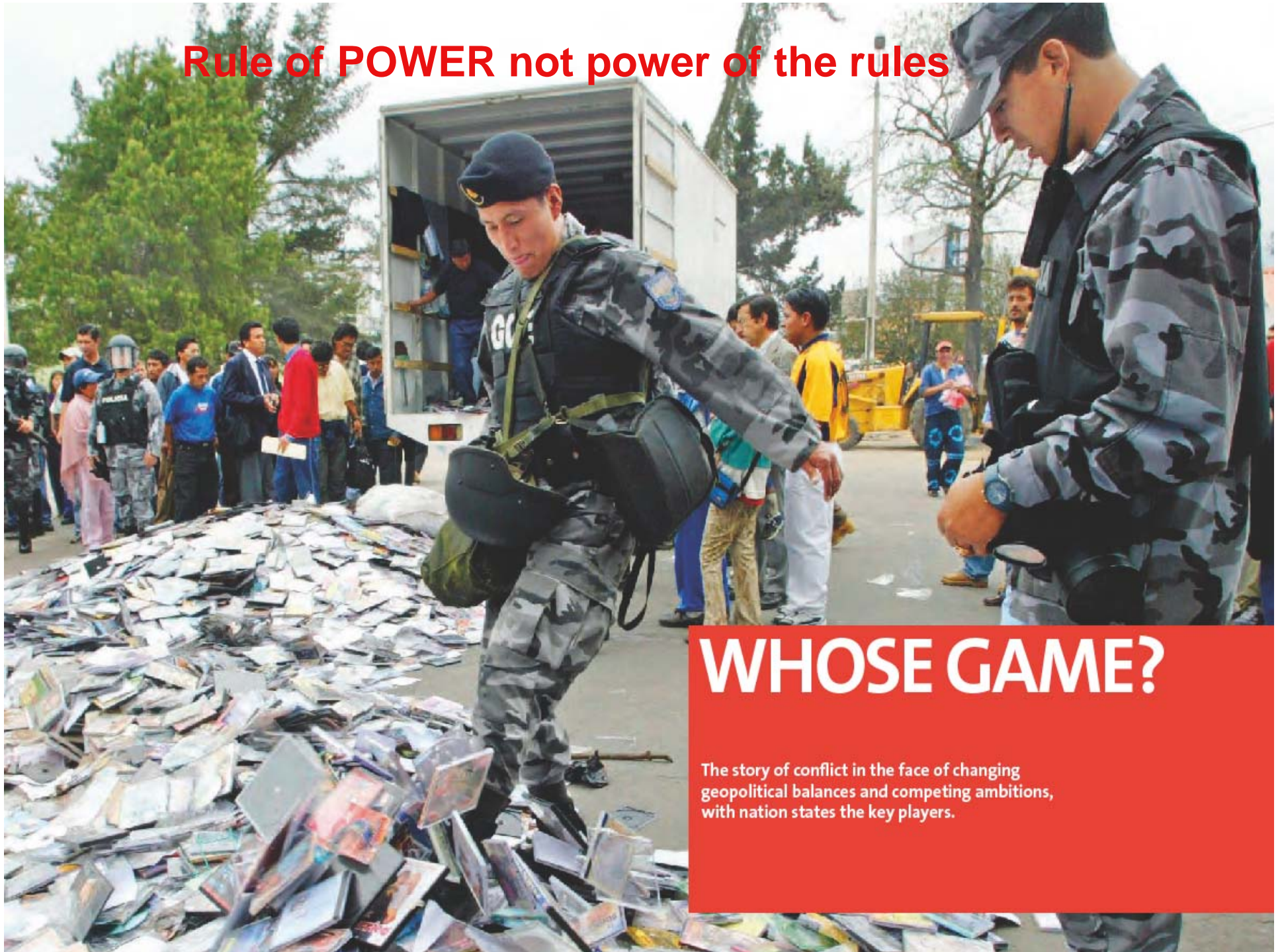


Big Business continues to lead globalisation

MARKET RULES

The story of consolidation in the face of a system that has been so successful that it is collapsing under its own weight.

Rule of POWER not power of the rules



WHOSE GAME?

The story of conflict in the face of changing geopolitical balances and competing ambitions, with nation states the key players.

Globalisation gets an Asian face

*"Within the next 40 years, some of the most major innovations will come from elsewhere – outside the west. For the moment, the west is lucky that they don't have IP protection. But within 40 years you can imagine that the great scientific cures and great IT innovations are going to come from other regions."**

* Kenneth Cukier, Technology Editor of "The Economist"

A. Merkel's proposal for creation of TAFTA

The plan lists four areas where the US and EU should co-operate more :

- **intellectual property**
- energy and environment
- **industry standards**
- capital markets

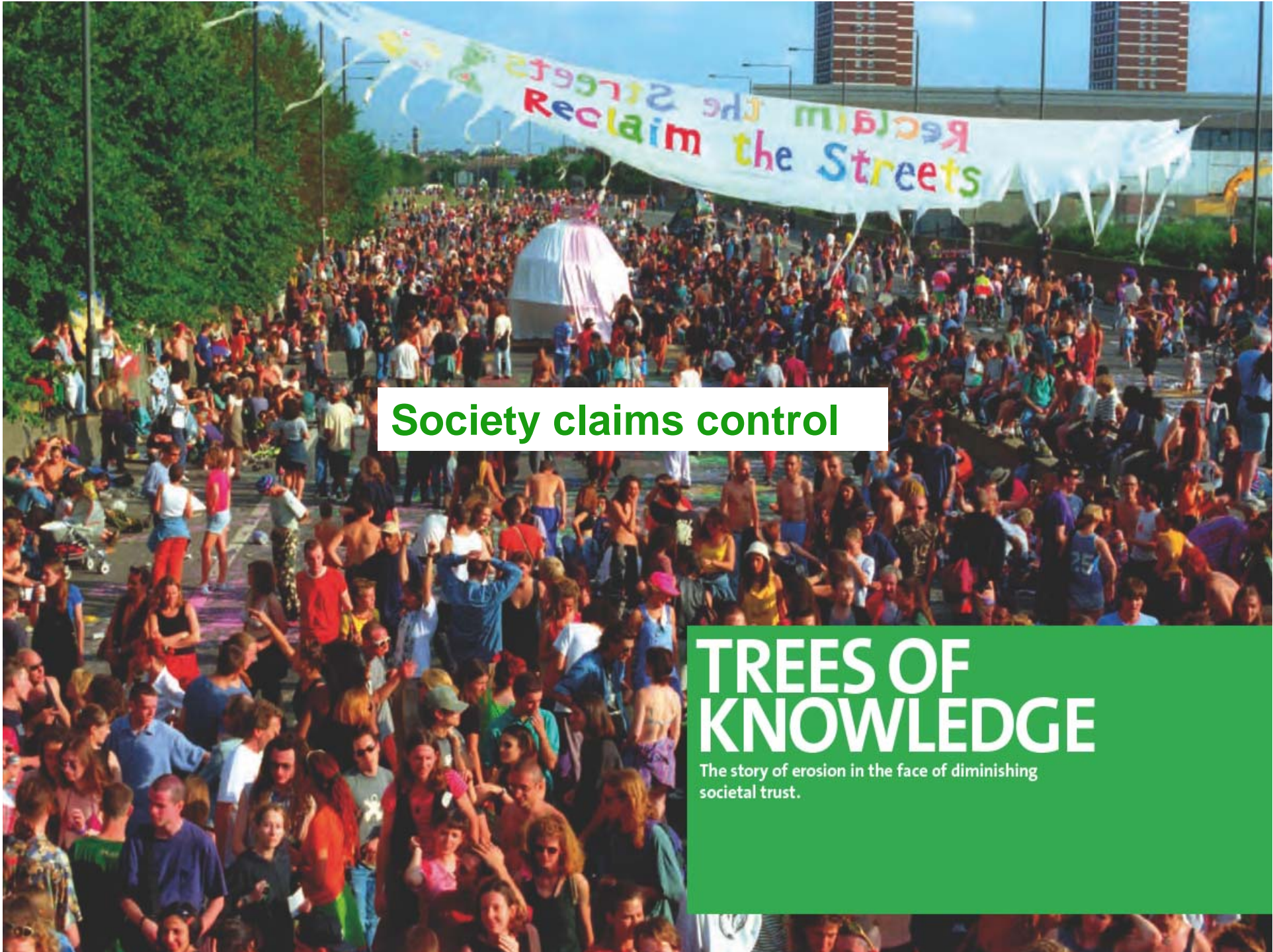
Fragmented globalisation

How the trade and IP systems could fragment into two blocks



Global trade routes become split into North and South fractions with high barriers between them

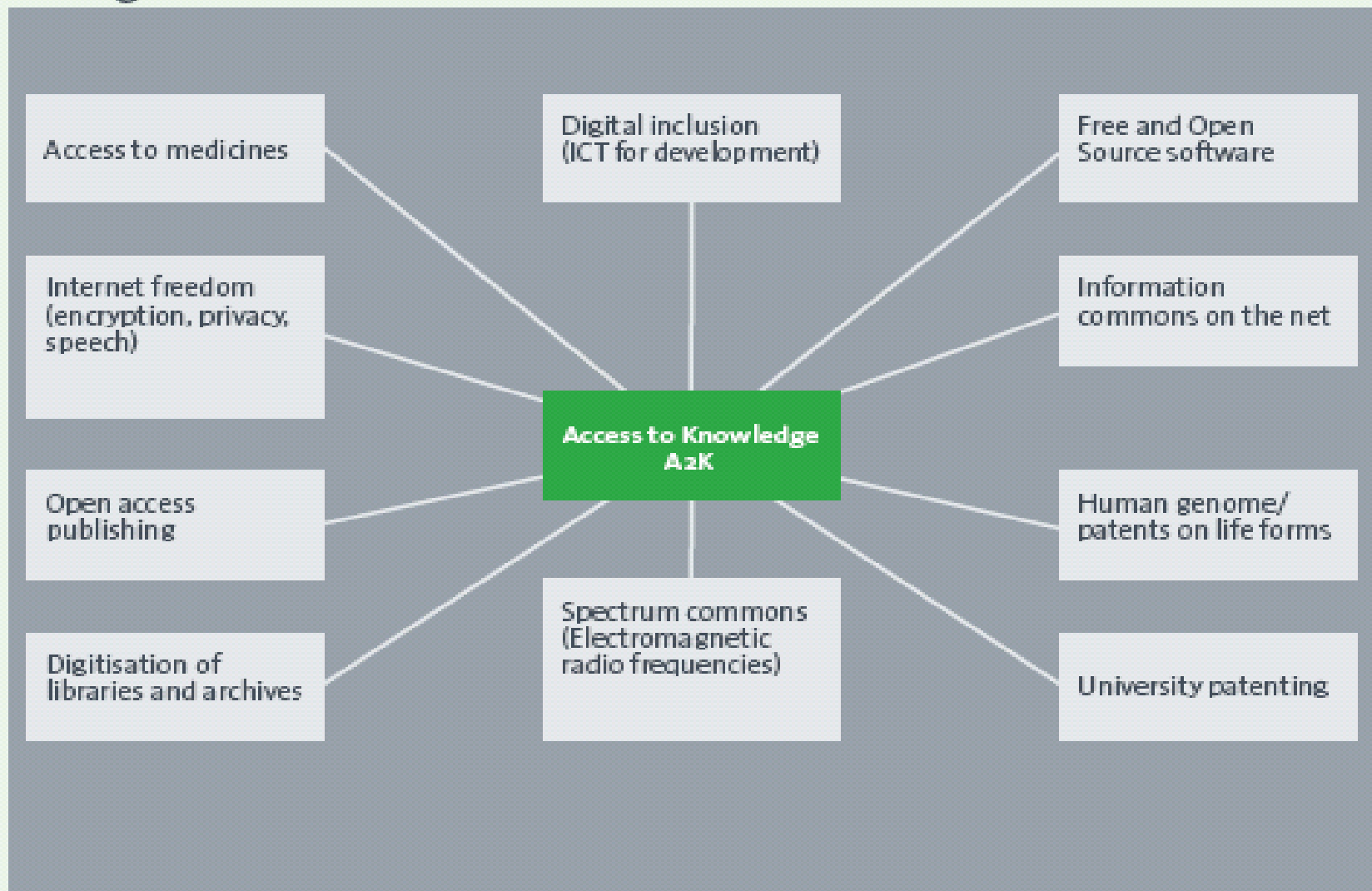
— 'The Club'
— Southern Alliance



Society claims control

TREES OF KNOWLEDGE
The story of erosion in the face of diminishing societal trust.

Joining forces



Source: Yochai Benkler (2006), the idea of access to knowledge

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The web-page you need

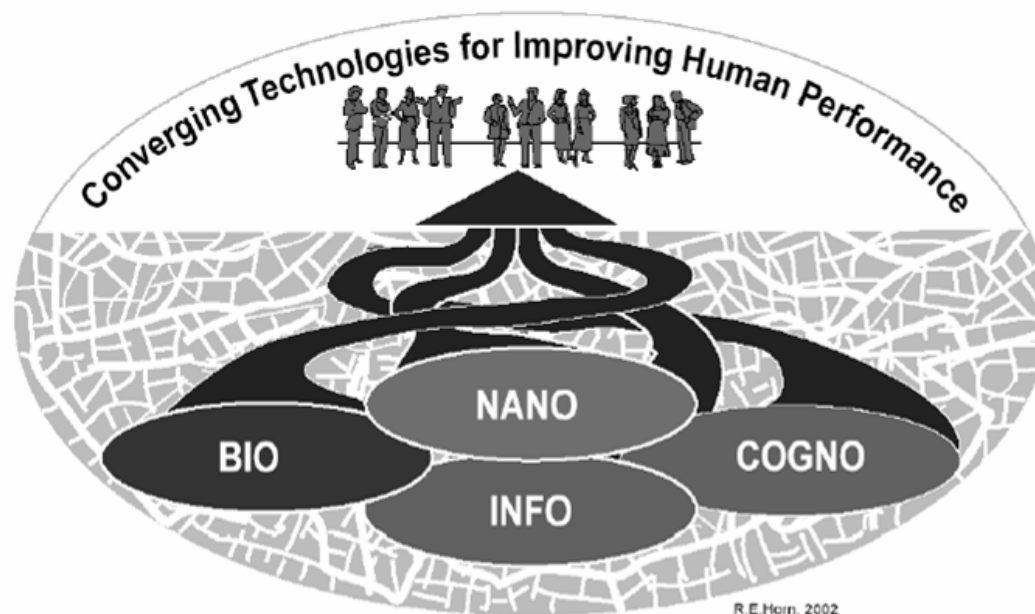
Technology sets the pace of change

BLUE SKIES

The story of differentiation in the face of global systemic crises.

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Changing nature of technologies



Changing the societal "fabric" towards a new structure

“All three of the overlapping transformations that will dominate the first half of this century represent different facets of the information revolution.”

Ray Kurzweil, 2006. *The Singularity is Near: When Humans transcend Biology*

IN 2025

The patent system has split:

The current regime still applies
to most classic industry sectors

Soft IP (License of right) applies
to new complex technologies



What is FAIR ?

- Renaming RAND to FRAND does not help, unless the meaning of the term "fair" is shared by most concerned parties
 - What is (historically, socially, economically, etc.) fair to the one may be seen as quite unfair to the other
 - Differences in perception of fairness are at the origin of the major disasters of the 20th century (interpretations by the other European nations of Germany's aspirations for " a place in the sun")
- Scenarios can build a mental set to think and discuss fairness issues from a different, not directly confrontational, black-white perspective