

The Future of IP Lectures
Hosted by IPI
Opening Remarks by Joly Dixon
London. 15 October 2008

Ladies and Gentlemen,

It is a great pleasure to be here with you tonight. I should like to congratulate the IPI on setting up this series of discussions at such an appropriate time. With the credit crunch, we have lost sight of the fact that our economies have been going through a prolonged period of incredible dynamism and fundamental strength. Once we turn our attention from the current crisis and start to think again about the longer-term future, we will return to the reality that unsurpassed global prosperity has been made possible by a knowledge-based economy. To preserve, promote and extend that prosperity, we must ensure that the intellectual property framework continues to adapt to the changes in the world's economy, to which it is itself contributing.

As SABIP is the new kid on the block, and as some concerns have been expressed about its composition, I want to start with a few words about the Board.

First, myself: our colleagues at IPKat have asked whether I am the Sarah Palin of IP. I am grateful for their promotion of this event, but have to say straight off that I am not a pit bull with lipstick (nor indeed a soccer mum). While I may be relatively new to the field of IP, I am not new to thinking strategically. I was one of the architects of the Euro. Like Marmite, you may love it or hate it, but it is impossible to underestimate its significance. Also, my work on transition economics has involved thinking deeply about property rights generally, as well as intellectual property rights and the role of innovation in growth.

The other Board members, who were recruited from more than 230 applicants through a process rigorously respecting all the procedures for public appointments, more than adequately make up for any lack in my detailed knowledge of the field. I am very glad that most of them are here with me tonight. They are:

Lynne Brindley

Who is the Chief Executive of the British Library and has very substantial IP experience spanning the public, private and academic sectors.

Cathy Garner

Who is the Chief Executive of Manchester: Knowledge Capital and has extensive international IP and technology transfer experience. Cathy was previously Chief Executive of the Centre for the Management of Intellectual Property in Health Research and Development.

John Pickering

Whose professional roots are in economics and business strategy. His career has included work in academia involving research, teaching and senior university management. He has sat on the Competition Appeal Tribunal since 2000.

Jonathan Spencer

Who is a former senior civil servant with a scientific background. He has worked extensively on innovation in the regulation of UK business.

Iain Wilcock (who cannot be with us this evening)

He is a biochemist and founder of Quester, an early stage venture capital investment business in the healthcare sector. Iain brings experience of operating in a regulated market and investment skills.

The Board cannot be criticised for a lack of experience of IP matters. The Members were deliberately chosen not to represent the various sections of the current IP world, and should not be judged on that basis. As its task is to give strategic policy advice to the Government, it should be judged on its output. Its success will depend on its ability to:

- see the challenges in the years ahead;
- ask the right questions of the right people;
- hear and listen to the answers, and fairly weigh up all the opinions;
- give cogent, evidence-based advice to policy-makers and make them take notice.

SABIP will be a very open body. As you have seen, we put the minutes of all our meetings on our website and plan to publish all our advice and papers. If you have been reading our minutes, you will have noticed that we have been devoting considerable effort in these early days to developing our knowledge of and relationships with our stakeholders. We are mapping out our stakeholders and making strategies for productive two-way involvement with them. We hope that stakeholders, when approached, will give us candid information and feedback.

The other side of the coin is independence. SABIP has its own resources and so can, and will, commission its own research. It is supported by a full time secretariat. It is also independent of Government. We enjoy a very constructive relationship with both ministers and our sponsor department, the IPO. They may suggest items, but ultimately our work programme is our responsibility and, most importantly, our advice is entirely our own responsibility

WORK PROGRAMME

We have made a good start on defining our work programme. We have also thought about the selection criteria that we should use and decided that potential items for the work programme will be subject to the following questions:

1. Is the issue important and timely by reference to achievement of the Board's strategic objectives?
2. Is the issue one where the Board should be able to add value in its position as an independent advisory body to government, and, ideally, is the Board uniquely well placed to do so?
3. What, if any, other work has been/is being done? Will SABIP's contribution complement it, or add a new dimension?
4. Does SABIP have the necessary capacity to give answers within a suitable timescale?

At our first board meeting we identified four topics and formed four corresponding project groups, each of which spent the summer scoping its topic to tease out the exact questions that were to be looked at.

The topics that we identified are:

- An analysis of the issues that SMEs face with the current enforcement system;
- A review of the balance of IP protection and exploitation in our publicly funded research establishments and universities;
- The basic tenets of the IP system and their fitness for purpose in the 21st century; (The philosophy of IP)
- The attitudes towards and relationships with IP among the so-called Google Generation and whether this should influence thinking on IP policy.

We have become increasingly aware that technological change is challenging many aspects of the IP framework, and that globalisation is setting new imperatives whilst also raising complex institutional and enforcement issues. All this is especially true for the copyright system. Creators and rights holders on the one side and users on the other side feel cheated or dissatisfied at best, and debates are serving only to polarise opinion further rather than to

find a satisfactory balance. It is crucial, therefore, that we develop a copyright framework which encourages and rewards creation and innovation, provides the right sort of incentives for investment in new businesses and products, and equally takes proper account of the growing appetite amongst consumers for innovation and variety in the way the creators' work is brought to them and the way in which they can interact with it.

We will very shortly set up a copyright project group and give priority to copyright issues in our other work.

In conclusion, as I hand you over to my fellow Board members, let me assure you that SABIP will strive to achieve a UK IP framework that rewards innovation and creativity and provides incentives for these to flourish. We will stimulate debate amongst the relevant people and organisations, commission high-quality research and present ministers with evidence-based recommendations.