

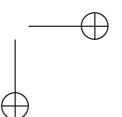
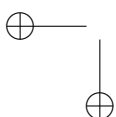
The Future of Intellectual Property Within the Realm of Information Communication Technologies

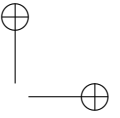
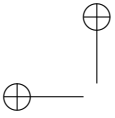
Sandra Pitcher & Nicola Jones
University of KwaZulu-Natal, South Africa
E-mail: 204507016@ukzn.ac.za

INTELLECTUAL property laws are territorial in nature, determined and enforced by the nation state in which one resides. However, information communication technologies (ICT's) are proposing a unique challenge to intellectual property law, due to the universal nature of the Internet. This chapter aims first to briefly discuss the history of copyright, and why it is felt that there is a need to protect the intellectual works of authors, outlining how the laws of copyright originated during the late 19th century to shift the control of power away from publishing houses to the authors themselves.

Secondly, this chapter will outline the objectives of the World Intellectual Property Organisation (WIPO), and the ways in which they are trying to protect intellectual property on a global scale. This section will identify how many countries have agreed to the international policies of WIPO, what these policies are, and identify why some countries have been reluctant to join. Importantly, it discusses various political economic reasoning for developed countries to be a part of such an organisation, and the dilemmas that such an organisation proposes for those countries which are still in the developmental stages of ICT's. Due to this problem, this chapter also identifies how at times ICT's are seen as widening the digital divide through the various standards set by developed nations. In order to reflect on this in detail, and to allow a greater understanding for readers, various examples will be discussed, examining how smaller and developing nations are at a distinct disadvantage as knowledge transforms into a commodity through the convergence of traditional media and ICT's.

Thirdly, one cannot assume that ICT's are borderless just because they are generally hosted within a virtual realm. Consequently, this chapter looks to explore how intellectual property laws need to be re-thought and updated by individual nation states in an attempt to control copyright infringement. Many have suggested that it would be beneficial for countries to come together un-



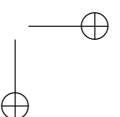
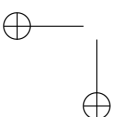


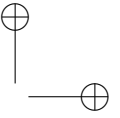
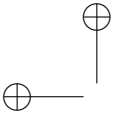
der an organisation such as WIPO to consider a global ethical norm through the consultation and negotiation of each country's own various laws. However this is a somewhat difficult task, and consequently this chapter will look to explore if this is a realistic possibility in a world of differing cultures, languages, and histories.

Ultimately what this chapter looks to encapsulate is the idea that whilst ICT's are of immense benefit in many ways, they do pose problems for intellectual property at this particular time in history. It seeks to educate those reading of these difficulties, and how one cannot treat ICT's as a primarily good force in the global world. One needs to be aware of how they are favouring one particular cultural viewpoint, especially in regard to the protection of copyright. Consequently this chapter intends to introduce readers to the idea of both a global ethical partnership, to benefit both those from different cultural backgrounds and the global political economy.

A History of Global Intellectual Property Protection

Intellectual property has always been a contentious area of law, because it aims to assert control and power over others. During the early days of printing, "a pattern of exploitation" (Cornish, 1989: 245) emerged, because it was the publishers rather than the authors who were granted exclusive rights over literary works. However, this slowly began to change as governments realised that authors needed to be compensated for their works, in order to incite them to continue producing. Therefore, control shifted away from publishing houses back to authors, thus giving writers far greater control and reward for their intellectual efforts. Problematically, however, authors struggled to gain protection outside their country of origin, and consequently were reluctant to export their work. Because of this, various nations, realising the disadvantage this posed to the exportation of knowledge, came together under the Berne Convention to offer authors protection on an international scale (Cornish, 1989). Agreements and conventions such as this have inspired the creation of the World Intellectual Property Organisation (WIPO), which aims to encourage the exchange of knowledge, whilst simultaneously protecting the rights of intellectual authors on a global scale.



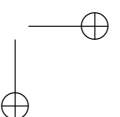
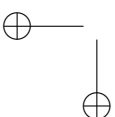


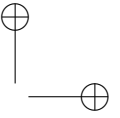
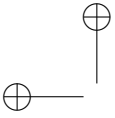
It has been outlined in the vision and strategic direction of WIPO that because creativity is beneficial to society, “legislators develop intellectual property protection frameworks to establish the conditions for creators to exercise their rights while giving effect to the right of members of society to enjoy the arts and to share the benefits of scientific advancement” (WIPO, 2008). This statement helps to reinforce the notion that whilst it is important to protect one’s intellectual property, it is of equal importance that the public share in this knowledge in order to further the development of learning. Additionally, this is supported through WIPO’s commitment to the process of empowerment, “which is rooted in the belief that all interested parties can and should participate in shaping the way intellectual property services and products are delivered” (WIPO, 2008); consequently, all WIPO members are seen to have equal powers to facilitate this vision. However as with many international organisations, equality is often not possible due to the overriding influence that some countries have in the global environment. Whilst WIPO currently has 184 members, many countries have been reluctant to join because they feel that this could impact on their development (Woker, 2006).

Countries still in the infant stages of development processes need to receive vast amounts of knowledge in order to compete both socially and economically within the global market. However, besides the financial restraints that these countries have to contend with, they are also faced with the difficulty of accessing this knowledge because of copyright laws. Tanya Pistorius (2006) notes that because Internet connectivity is minimal and access to many online sources is unaffordable, developing countries are often excluded from information, delaying their participation within the knowledge economy. And as the United Nations Administrative Committee on Coordination have noted:

The information and technology gap and related inequities between industrialized and developing nations are widening: a new type of poverty – information poverty looms. (April 1997)

Ultimately, the role of any “regulatory regime is to create a balance between the rights of the creators and the needs of society to be able to develop both culturally and economically” (Woker, 2006: 36), and yet the main objective of WIPO, in accordance with Article 3 of the Convention which established the organisation, does not look to find this balance, but rather concentrates primarily on the protection of intellectual property and to strengthen the



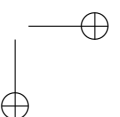
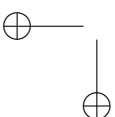


administrative co-operation of member states. In no way does the organisation look to balance the developmental needs of society; therefore increasing the gap between developed and developing nations.

Expanding the Digital Divide

As already explained, world organisations are often guided by those countries which hold the most power economically and socially within the global context. Policies and regulations are established by those countries which have the most to gain from the protection of intellectual property. Information has transformed into a global commodity, consequently being defined by the most wealthy corporations and countries to “suit their economic interests” (Rønning, 2006: 23). What once used to be a law to protect authors from producers, has been undermined because “international organizations have succeeded in tilting the body of [copyright] law dangerously the other way” (Vaidhyanathan, 2001: 2). As one can imagine, it is the United States which has the largest control over much of the world’s information and yet ironically, they were one of the last developed nations to join into any of the international treaties to protect intellectual property. Primarily this was because the Constitution “argued for copyright in terms of ‘progress’, ‘learning’, and other such classic republican virtues as literacy and an informed citizenry” (Vaidhyanathan, 2001: 22). Only once it became evident that the United States was primarily no longer a net copyright importer, but rather a net copyright exporter, was it felt that it was necessary to sign into many of the international treaties regarding intellectual property protection (Vaidhyanathan, 2001).

However, with the shift that has taken place, and as the United States looks to assert its control over the idea/expression dichotomy, this stringent control can be seen as a new type of imperialism over many less informationally developed nations – “an imperialism without borders” (Vaidhyanathan, 2001: 167). More importantly, the United States and the European Union have taken action to protect online databases in an effort to restrict the flow of free information, proclaiming that in order to guarantee investment into such a system one needs to feel that their information is protected from theft. Underdeveloped nations have aired concerns about this type of protection because it limits “easy and inexpensive access to data” (Vaidhyanathan, 2001: 164).



It could soon be the practice of those who have the resources to control the dissemination of information through various closed packaging strategies, to price developing nations in need of information, out of the knowledge economy; invariably “companies will be able to choose who may gain access to and use their information” (Vaidhyathan, 2001: 167).

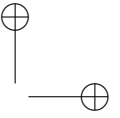
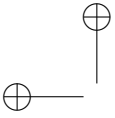
It could be viewed that this is already happening if one considers the concerns regarding the expropriation of intellectual capital and the political economy of international academic publishing. International publishers derive massive profit from knowledge and expertise donated to them by higher education and research institutions, although little value is added in the publication process (Merrett, 2006). Merrett argues that Third World scholarship in particular is consequently at great risk, since access to published work is increasingly beyond its reach in terms of cost. Commercial practice and government bureaucracy (in South Africa the SAPSE system, for example) have locked academics into an “exploitative” relationship (Merrett, 2006: 96). “Aggregation in electronic publishing has had severe repercussions for libraries. The Public Library of Science pioneered a radical response with an online archive and later established open-access journals in direct competition with commercial publications. In reality, the latter own no more than a title and a subscription list. They are thus highly vulnerable to the potential of new publishing technology that challenges the commodification of knowledge” (Ibid). What this leads to, in essence, is what many libraries refer to as the “journals crisis”. Generally, the prices of journals grow faster than inflation, particularly in developing countries, and so libraries purchase less. Merrett (2006) argues that the ultimate revolution in academic publishing would be for universities and research institutions to claim rights to their investment – the knowledge they produce – “and to find a means to disseminate it themselves in an economical way that is compatible with educational and civic good, that is to say, academic freedom and the freedom of information. Indeed, some would argue that this is their duty” (2006: 105).

Thus many universities are faced with the decision whether to create an institutional archive, or to go into direct competition with published journals by making available a peer-reviewed finished product. Merrett (2006) points out that the University of California has deliberately chosen the latter route and has been publishing the *Dermatology Online Journal* since 1995. Other universities, such as the Queensland University of Technology, require that pre-

and post-publication material be archived electronically. In the final instance, Merrett (2006) argues that there is no merit in the claims of commercial publishers presiding over a business-oriented system that undermines the central purpose of the academy: advancement of knowledge and the progress of humankind. “Knowledge has been captured and repeatedly held to ransom. A revolution is required to democratise access to knowledge and dislodge the wedge driven between its producers and consumers by commercial publishers who have manipulated electronic access for their own ends, through short-term rental agreements” (Merrett, 2006: 108).

This would place developing nations in a severely disadvantaged state, limiting their scope for education and skills-based development. It was acknowledged that developing countries needed to be given special concessions, in terms of intellectual property laws, because they often require specific knowledge in order to develop their education and skills-based systems (Pitcher, 2009). It is of the utmost importance that they are able to publish and re-work intellectual property in a way to help bridge the knowledge divide between themselves and the developed world. As indicated by Cornish, concessions were “moulded into a Protocol to the Berne Convention at the Stockholm Revision in 1976” (1989: 252) which gave developing nations the right to decrease the terms of copyright in order to “authorise translation into their national languages; to authorise publishing for educational and cultural purposes and to exclude from the scope of infringement reproduction for teaching, study or research; and to limit the scope of the right to broadcast” (Ibid). However, few developing countries are able to afford the high price involved in gaining legitimate reproduction rights of copyrighted works and most developed nations are pushing that concessions be taken away from developing nations because they seemed too “lenient and could open the door for ‘legal piracy’” (Pitcher, 2009).

With the heavy control that seems to encompass copyright, it is becoming more difficult for future creators to adapt the knowledge that they see in front of them into something new (Goldsmith & Wu, 2006). Ultimately, if copyright is too fervently protected, it could become “an instrument of censorship” (Vaidhyathan, 2001: 184) serving to elevate the knowledge of the developed elite and undermine that which may emerge from the developing world. It would be more successful to think of intellectual property as a constant cycle of learning and exchange of knowledge between different authors,

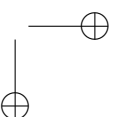
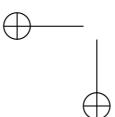


rather than one holistically created work by one individual author (Samuels, 2002). This would assist in the expansion of culture, by permitting users to utilise various forms of intellectual property to create something new, and perhaps improve on that which it is based. Robert Ostergard points out that “the right to property is granted based on maximising the benefits society can obtain” (1999: 156). Therefore, if one creates a complete monopoly over specific works, it limits the possibility of building onto existing knowledge, ultimately undermining the development of global culture and creativity.

Journalism and Citizen Digital Technologies

As soon as we begin to use digital communications technologies, we become involved in webs of social relations that raise ethical questions about our responsibilities to our fellow users. As Nightingale and Dwyer (2007) ask, are we simply consumers of someone else’s efforts, or do we have an obligation to support the development of public facilities and to share our advice, knowledge and creativity in ways that other people can enjoy and benefit from? Where copyright is concerned, journalism thus becomes an important area, as it is something that is affected by one of the few international commerce laws – copyright. The United States displays copyright protection in its constitution, and this has been extended repeatedly since the eighteenth century. As mentioned previously, the US in 1998 ratified two international agreements intended to strengthen copyright protections worldwide and, in particular, to provide legal ammunition to fight piracy of computer software, music and other intellectual property (Friend and Singer, 2007). The WIPO treaties include provisions that enable copyright owners to prevent the unauthorised posting or transmission of copyrighted works through the Internet (*Ibid*). But enforcement of this is another matter.

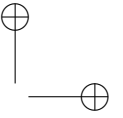
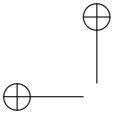
Friend and Singer (2007) point out that copyright law poses a number of issues for online journalists. “The right to link from one site to another, fundamental to both the structure and the utility of the Web, has been challenged in court in an assortment of creative ways” (Friend and Singer, 2007: 96). The use of metatags – keywords embedded in the code used to build Web pages – has also caused problems, most notably when an Asian site used the words “playmate” and “playboy” in its tags (*Ibid*). Copyright law has also played a



role in legal disputes involving freelancers, generally when writers for print publications have their stories converted into digital databases without permission.

New forms of online content, particularly those generated by users, raise additional copyright issues. “In July 2006, for instance, the video-sharing site *YouTube* was sued by a Los Angeles news videographer for violating copyright of footage shot during the 1992 riots in that city” (Friend and Singer, 2007). But as *Online Journalism Review* contributor Mack Reed points out, “the Web has made the unauthorised propagation of information, copyrighted or not, instantaneous and virtually irreversible” (Reed, 2006).

This is the contradiction inherent when discussing the concept of intellectual property within the realm of ICT's – that participation in the world of cyberspace brings with it a drive to commercialise, or presents itself as a business opportunity for budding entrepreneurs, as well as an arena for self-expression, socialising, playful creativity and the sharing of knowledge. However, this drive to commercialise is not universally welcomed. Many people see it “as a betrayal of the original ideal of using personal creativity to contribute to the diversity of a shared collective environment” (Nightingale and Dwyer, 2007: 327). Although market demand is clearly the most powerful force shaping society today, it would seem obvious that it is in the interest of journalists to do what they can to create a market for the kind of journalism “that recognises and applies principles that help assure reliable, timely, proportional, comprehensive news to help make sense of our world and our place in it” (Kovach and Rosenstiel, 2001: 248). Kovach and Rosenstiel argue that the “elements of journalism” belong to citizens as much as they do to journalists, and in that sense, “the elements of journalism are a citizen’s bill of rights as much as they are a journalist’s bill of responsibilities” (2001: 249). And with those rights come responsibilities, that “in the twenty-first century are growing along with the increased ability of the citizen to interact with the news” (*Ibid*). Friend and Singer (2007) agree that the explosion of self-expression is largely a twenty-first century phenomenon, saying the number of amateur, citizen, participatory or grassroots journalists has soared in the past few years. “Millions of people are using the Internet to express their ideas and opinions in a joyous – and raucous – celebration of free speech, facilitated by a medium that extends that freedom both within and among societies” (Friend and Singer, 2007: 116). This is a global phenomenon, but as cultural content

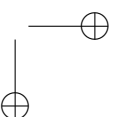
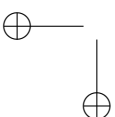


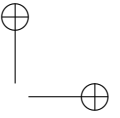
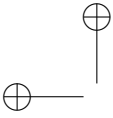
migrates online on a massive scale, legal battles are multiplying to prevent piracy, protect copyright and make money out of this growing business.

In its policy summary, the European Union (2009) defines online content as including music, film, radio, television, newspapers, games, and educational and user-generated content. The European Commission estimates that by 2010, revenue from these services will soar to over €8 billion the EU, from less than €2 billion in 2005. Such exponential revenue growth, they argue, is in large part due to the increased number of affordable cultural products available on websites such as iTunes (for music), Netflix (for movies) and Amazon (for books). But the largest amount of downloaded material still comes from peer-to-peer websites, on which users share (sometimes illegal) content. Two important questions immediately arise: where does the emerging right of free access to knowledge end? And where does the established but endangered copyright of authors and labels begin?

The two major issues arising at this point are piracy and revenue sharing. Piracy, the unauthorised reproduction of an intellectual property in infringement of copyright law, is increasingly widespread, with the music and film industries in particular being extremely hard hit. EurActiv (2009) states that about 20% of the world's software is believed to be pirated. In order to combat this phenomenon, suggestions include cutting the connections of people who illegally download copyrighted materials, and using Internet service providers to implement filtering measures. However, controlling the Internet is extremely controversial, as it raises highly sensitive issues such as censorship and freedom of speech. In addition, EurActiv (2009) points out that this is also technically very complex and prone to mistakes.

Where revenue sharing is concerned, consumers are not the only ones accused of violating copyright in the online environment, and Web giants often find themselves under the spotlight for using business models which allegedly put at risk fair compensation of content producers. EurActiv (2009) states that *Google* in particular is involved in all the major legal battles concerning online copyright, with perhaps its most controversial service being the news aggregator *Google News*. Although some publishers believe it attracts readers by reproducing short abstracts of their content, other major news agencies such as Agence France Press (AFP) and the Associated Press (AP) have sued *Google* for illegally reproducing their material.





The legal battles over *Google News* have been mirrored by similar disputes in the United States about *Google Book Search*, the revolutionary project to digitise books out of print. According to EurActiv (2009), after lawsuits filed against the project in 2005, *Google* struck a deal with the Association of American Publishers and the American Authors Guild in October 2008, agreeing to pay them a share of every book in copyright but out of print, and sold through *Google Book Search*. “The agreement was a victory for *Google*, which overnight became a major bookseller, dwarfing Amazon and all other competitors in terms of numbers of books offered” (EurActiv, 2009).

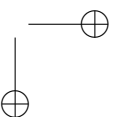
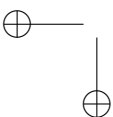
Another front in the online intellectual property wars concerns *YouTube*, the most popular video-sharing website in the world. Here, broadcasters are complaining of unfair competition, and a range of lawsuits have been filed against *YouTube* for its allegedly illegal use of their content. “Indeed, it is often possible to watch TV series or famous sketches on *YouTube*, even if they are copyrighted. Mediaset estimates that its losses owing to unfair competition from *YouTube* amount to at least €500 million” (EurActiv, 2009).

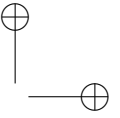
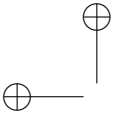
Where to From Here?

One cannot dismiss the fact that intellectual property laws are of value to authors; however to limit the exportation of necessary information to developing nations could be viewed as a violation of basic human rights. As Ostergard explains, “if certain individuals have exclusive control over established technologies, other individuals may be deprived of basic products that could contribute to their betterment” (1999: 158). By limiting the amount of information that a country can use to assist in the betterment of society, overall disadvantaging the well-being of citizenry in order to maintain profit, violates all ideals of human rights which states that every person be given:

a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services (Universal Declaration of Human Rights, Article 25)

As a result, information is needed in order to procure these types of conditions and should be exchanged and built upon consistently by both developed and developing nations. Yet as already mentioned, resources of developing

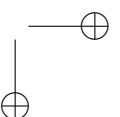
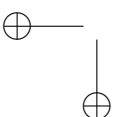


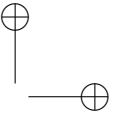
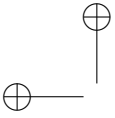


nations are often limited, consequently hindering efforts “to aid those in need of product access” (Ostergard, 1999: 162); subsequently placing responsibility on developed countries to advocate the growth of knowledge.

It is understandable that developed nations would be reluctant to give up their dominance within the global knowledge economy, however as Ostergard (1999) proposes, global entities need to acknowledge that varying forms of intellectual property needs to be utilised and protected in varying ways. The problem with fervently protecting all forms of intellectual property is the reality that not all intellectual property constitutes the same value in the progression of developmental structures. For example, it can be argued that academic writings advocating the advancement of democratic structures are of far more importance in terms of development than the latest Hollywood blockbuster; subsequently this means that definite lines need to be drawn up by international organisations in order to determine the difference between intellectual property which is needed for advancement and that which is wanted for personal enjoyment.

Ironically, those nations which are the strongest supporters of intellectual property protection were reliant on the adoption of many “foreign inventions, creations, and ideas” (Ostergard, 1999: 177) during their developmental stages; ideas which they were able to adapt to promote “their continued growth and development” (*Ibid*). This again emphasises the notion that developed countries are overzealous in terms of intellectual property protection in an attempt to maximise their own market potential within the ever-expanding competition of the globalised economy. But this type of thinking is rather short-sighted if one considers that it is the *global* economy that these nations wish to engage in, after all if “developed countries delay the creation of markets that could support entry of technologically advanced [intellectual property they would cut] short the potential profits that could be obtained if the developing countries could sustain themselves” (Ostergard, 1999:177); hence they should be looking to promote development as much as possible in order to guarantee their own market potential for the future. If developed nations were concerned with long-term economic benefits they should look to increase their market base for the future. By isolating and disadvantaging those countries which cannot afford basic intellectual commodities is ultimately promoting a Western culture, undermining that which does not fall into this cultural bracket, and destabilizes any idea of a true global economy.



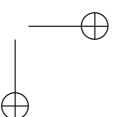
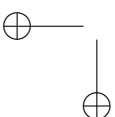


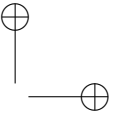
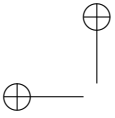
Conclusion

It is therefore essential to guarantee that intellectual property, and copyright in particular, be assessed and protected in varying degrees. This chapter does not look to advocate that intellectual property laws are of no value to the progression of the global economy; rather it aims to identify, that at times, these laws are too stringent in terms of promoting global development. It has shown that knowledge has become a valuable commodity in terms of academia, with publishers attempting to create a monopoly over academic writings, consequently out-pricing many from the knowledge market. The introduction of ICT's has helped to lighten this burden but, they are under considerable pressure to block the free exchange of this knowledge by organisations such as WIPO.

This type of knowledge censorship – as it could be called – undermines societal evolution toward an equal global culture. Without this type of knowledge, many developing countries are at a distinct disadvantage because they are unable to compete socially or economically within the global market, instead relying heavily on the small amount of knowledge which has fallen into the public domain. Whilst organisations such as WIPO are seen to propagate the balance between making a profit from intellectual property, and the interests of the public, it has to be noted that in reality, it is far too concerned with promoting the rights of the developed elite rather than with the interests of the sub-ordinate poorer classes.

As has been discussed, ICT's have played a vital role in attempting to bridge this knowledge divide, whilst simultaneously creating a contentious arena in which the roles of copyrights and intellectual property have come under intense scrutinisation. Journalists are under pressure to inform and create a platform for public debate, but ICT's have created an environment in which media corporations are quick to reign in information which they are not profiting from. This raises an important debate surrounding human rights and the freedom of information. Information is needed to better society in many ways, and if corporations and intellectual property laws restrict this exchange, developing society will forever be under the control of the knowledge elite. In theory, ICT's open the door for free knowledge exchange, but the commodification of knowledge, elevated by ICT's, has created a paradox of restrictions.

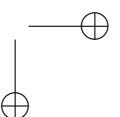
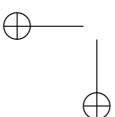




Developed nations would rather protect their knowledge investments instead of promoting global development. Ultimately, this has led to a one-dimensional world view instead of creating a varied culture of discussion and open knowledge. Developed countries seem to have forgotten that the information that they so fervently protect, was itself built upon the adoption and adaptation of imported cultures and beliefs. It is only fitting that those countries still in the early stages of ICT development be given the same opportunities. If one considers the long-term benefits of loosening intellectual property control one would note the benefits on a global scale as the market shares of developed industries grow exponentially. Information concerned with benefiting the growth of disadvantaged nations needs to be free, and adapted by these countries to place them in a competitive advantage within the global economy, rather than keeping them at a continual disadvantage. Only once ICT's are governed by an organisation truly concerned with balancing the rights of the author and that of the citizen, will the knowledge economy be considered a global economy, instead of a mouthpiece for Western capitalist ideals.

References

- CORNISH, WR. *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*. 2nd edition. London, Sweet and Maxwell, 1989.
- EURACTIV (2009) "Copyright Protection of Online Content". [Internet]. Available from: www.euractiv.com/en/infosociety/copyright-protection-online-content/article-180349 Accessed: 23 March 2009.
- FRIEND, C & SINGER, JB. *Online Journalism Ethics: Traditions and Transitions*. New York, ME Sharpe Inc, 2007.
- GOLDSMITH, J & WU, T. *Who Controls the Internet? Illusions of a Borderless World*. New York, Oxford University Press, 2006.
- KOVACH, B & ROSENSTIEL, T. *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*. New York, Three Rivers Press, 2001.
- LAMBRINIDIS, S (2009) "European Parliament Session Document: Report with a Proposal for a European Parliament recommendation to the



Council on strengthening security and fundamental freedoms on the Internet". [Internet]. Available from:

www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2009-0103&language=EN. Accessed: 23 March 2009.

MERRET, C. "The expropriation of intellectual capital and the political economy of international academic publishing". *Critical Arts*. 20(1), 96-111, 2006.

NIGHTINGALE, V & DWYER, T. *New Media Worlds: Challenges for Convergence*. Melbourne, Oxford University Press, 2007.

OSTERGARD, RL. "Intellectual Property: A Universal Human Right?" *Human Rights Quarterly*. 55(4), 739-748, 2009.

PISTORIUS, T (2006) "Copyright in the Information Age: The Catch-22 of digital technology". *Critical Arts*. 20(1), 47-61, 2006.

PITCHER, SJ. *The Mass Collaboration of Online Users: An Ethical Examination of Intellectual Property Rights and Digital Information*. Pietermaritzburg, South Africa. University of KwaZulu-Natal. (MA-thesis), 2009.

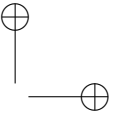
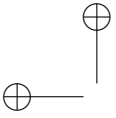
REED, M (2007) "Publishers vs YouTube: Does Either Side Win?" *Online Journalism Review*. [Internet]. Available: <http://www.ojr.org/ojr/stories/060720reed>. Accessed: 23 March 2009.

RØNNING, H. "Systems of control and regulation: Copyright Issues, digital divides and citizens' rights". *Critical Arts*. 20(1), 20-34, 2006.

SAMUELS, L. "Relinquish Intellectual Property". *New Literary History*. 33, 357-374, 2002.

VAIDHYANATHAN, S. *Copyrights and Copywrongs*. New York, NYU Press, 2001.

WORLD INTELLECTUAL PROPERTY ORGANISATION (2008) "Vision and Strategic Direction of WIPO". [Internet]. Available from: http://www.wipo.int/edocs/mdocs/govbody/en/a_34/a_34_3-annex1.html. Accessed: 10 January 2009.



WOKER, T. "Principles of copyright in intellectual property law: An Overview".
Critical Arts. 20(1), 35-46, 2006.

