Panel discussion on Copyright as an Incentive

Brainstorming Session on the Future of Copyright, IUCIPRS, Cochin University of Science and Technology, February 27, 2019

CIIPC
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Dr. Arul George Scaria, Co-Director, CIIPC, was part of a panel discussion titled 'Copyright as an Incentive' at the Brainstorming Session on the Future of Copyright, organised by Inter-University Centre for Intellectual Property Rights (IUCIPRS), Cochin University of Science and Technology, on February 27, 2019. This panel was chaired by Prof. David Nimmer and Dr Scaria made a presentation titled '**When Less Is Better**'. By highlighting empirical studies relating to diverse creative products, his presentation tried to challenge the popular narrative that copyright and/or stronger measures for copyright enforcement are inevitable for incentivising creativity. The empirical studies he used in this regard were relating to creative products such as fashion, visual art, academic works, and operas. In the context of some of the recent empirical findings, he also highlighted how data and "data driven creativity" may further challenge the incentive theory. He ended his presentation by highlighting that while it may not be feasible or advisable to completely move away completely from the copyright system, three potential steps could be taken for addressing the current crisis with regard over-proliferation of copyright protected works. They are – (1) revisiting standards of originality; (2) adopting shorter and differentiated terms of copyright protection; and (3) bringing back the formalities for copyright protection. Slides of his presentation can be accessed from this link.

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