A critical analysis of the use of IP as a form of information warfare against the developing world

by

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Summary

A critical analysis of the use of IP as a form of information warfare against the developing world

The initial intention of the intellectual property regimes (IPRs) was to promote intellectually produced assets and also to ensure that they are accessible. Modern-day intellectual property regimes put more emphasis on the protection of intellectual products. This has led to lesser emphasis being placed on optimising access to protected information in general.

Indigenous knowledge (IK) has recently attracted more attention from different role-players who are interested in exploiting its economic potential. This has resulted in some IK-based products being patented. Consequently, indigenous communities may no longer have free access to these products. Access to protected information has been limited by higher prices of products protected by IPRs. In some cases it became illegal for the indigenous communities to utilize the resources they had used for centuries. Various organisations interested in IK have already made it available over the Internet, in some instances without the consent or recognition of the indigenous people. This situation translates into a form of information warfare in which the original indigenous owners of knowledge have no access to their own IK resources. Although various measures have been implemented to promote and protect IK, these have not proved to be very efficient.

Based on an Information Science perspective of information warfare, this research suggests that there is a need for improved access to protected information, with special reference to IK. It is proposed that all national governments, especially those of the developing world, should initiate projects to document, digitise and store information on IK resources in repositories or rather databases. An international repository with a union catalogue, as well as the local and national repositories, should be established to enable access to the IK resources via the Internet. The World
Intellectual Property Organisation would take responsibility for the creation and maintenance of the international repository. It is further proposed that information and communication technologies be employed to protect and promote access to IK. Digitised IK will have to be catalogued or organised according to Dublin Core Metadata Element Set and stored as such in repositories to ensure uniform storage. Cryptography and digital watermarking techniques are technologies that could be employed to protect digitised IK.

The Open Archives Initiative Protocol for Metadata Harvesting is a transport protocol which is recommended for information retrieval from the repositories. Metadata such as Resource Description Framework which is a standard for the management of IK on the World Wide Web, and MPEG-7 that would ensure implementation of multimedia objects, would be implemented. These ICT mechanisms also allow for the management of IPRs, which would assist in the prosecution of those who infringe IPR. Such infringements have not always been easy to prove with regards to electronic IP infringement.

The following key terms are covered in this thesis:

Information warfare; Information and communication technologies; Indigenous knowledge; Intellectual property; Information Science; Repositories; Dublin Core Metadata Element Set; Open Archive Initiative Protocol for Metadata Harvesting; Digital watermarking; and Cryptography
I declare that

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is my own work and that all the sources that I have quoted have been indicated and acknowledged by means of complete references
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May her soul rest in peace...
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