

Academic and scholarly communications in the realm of laws: copyrights, patents, and the PUPFIP bill.

Dr. Sunil Abraham, *Centre for Internet and Society, Bangalore*

Abstract:

Scholarly communications serve a very important function in society, and thus laws that affect such communications deserve special attention. Copyright law, as law that allows for scholars to give away to a publisher their right to communicate their works to the public, and also as law that prohibits people (including those selfsame scholars) from using the works of others, is thus of special interest. Patent law, allowing as it does for the creation of multi-decade monopolies over scientific applications, is also thus of great importance. The PUPFIP bill, which is before a Parliamentary Standing Committee, mandates the usage of intellectual property rights as the necessary means of a) protection and b) utilisation of knowledge created by recipients of government funding, flying against a growing literature of evidence that showcases the problems with such an effort, and documents the failure of such efforts in other nations. With that as the background, this paper looks at the provisions in the Copyright and Patent acts that scholars can take advantage of, while cautioning against the adoption of the PUPFIP bill. It also highlights the alternatives to IP that scientists and academics can make use of to enable the furthest reach of their ideas, and which enable better scholarship.