

# Global Congress on Public Interest Intellectual Property Concept Note

Please find at this link the current draft of the [agenda](#).

Everyone at the meeting may attend the track of your choice on Friday August 25, and will have the opportunity to serve as a roundtable participant or paper presenter on either Friday or Saturday. We have listed your participation according to your expressed interests on your application to attend. If we have not assigned you yet, or if you have any suggestions for changing your participation role from that listed in the agenda, please contact [Sean Flynn](#).

The deadline for changes has closed, but we will make every effort to accommodate your suggestions within or space and time constraints.

## **CONFIRMING PARTICIPATION**

All confirmed attendants in our records are listed on the enclosed agenda. If your name does not appear on the Agenda and you are planning to attend, please confirm your attendance [here](#) ASAP.

Please email Meredith Jacob ([mjacob@wcl.american.edu](mailto:mjacob@wcl.american.edu)) with any questions and confirmations relating to travel scholarships.

Information about the self-booking is available when you [register](#), or on the Global Congress [logistics site](#).

## **CONCEPT**

The 2011 Congress is intended to help build a “positive agenda” for intellectual property policy in the next decade--one composed of proposals that maximize both technological and cultural innovation and the broader, global public interest. The Congress is intended, first and foremost, to help renew the community needed to think effectively and act collectively on these issues. It will prioritize discussion, networking, and the sharing of resources among roughly 150 academic, practitioner, government and private sector participants from six continents.

- The first half-day (August 25) will be devoted to a series of plenary sessions designed to frame the challenge of building a positive agenda.
- The second day (August 26) will break into two separate tracks of discussion sessions on major themes.
- The third day (August 27) will break further into a series of smaller discussion groups before reconvening for collective discussion of the conference themes and possible collective declarations on key issues.

With luck, this will be the first of a series of annual Congresses to bring together communities of interest on these issues and provide a forum for advancing and coordinating collective projects.

Every session and workshop at the Global Congress will have also its own public document library for information sharing and may have a separate concept note written by the session chairs. We will alert you in coming weeks when all the materials are finalized.

## **NARRATIVE DESCRIPTION OF AGENDA**

The following provides a narrative description of the agenda. The full agenda with rooms and starting times is enclosed and can be found on the [Global Congress website](#).

Note: The afternoon plenary and reception on August 25th is open to the public. All other meals and meetings throughout the three day event are limited to full participants (i.e. those invited to attend all three days).

### **1. Morning Press Availability, Aug, 25**

Before the official start of the Congress, we will invite press to review materials and have access to experts and advocates for statements and interviews. We will post a mechanism on the [Global Congress website](#) to register availability for interviews with press.

### **2. Full Participant Welcome Lunch, Aug 25**

Lunch will be available in the 6th floor lounges behind the main dining room from 11:45am to 1pm. This will be a casual lunch in which you can pick up a sandwich and meet friends at your leisure. There will be no presentations. Lunch is open only to full participants and their guests. Others are welcome to use the law school's dining facility.

### **3. Opening Plenary and Panel Discussion, Aug 25 (Public)**

The Global Congress will officially begin at 1pm with public discussion about the changing technological and policy landscape that affects creative and innovative activities in numerous aspects of social life. This part of the meeting will be in plenary session and will be open to the public (with a maximum live audience of 250) and [webcast](#) live and on demand. The afternoon will open with a series of keynote lectures by Peter Jaszi, Pamela Samuelson, Bernt Hugenholtz and Carlos Correa. This will be followed by a moderated roundtable discussion with advocates, industry representatives and public officials. Some of the questions to be addressed by the keynote addresses and panel discussion include:

- How have changes in technology and in the policy landscape (including vertical and horizontal “forum shopping” or “regime shifting”) affected our definition of what a positive agenda for intellectual property should include?
- What is the history of progressive IP reform efforts and what do we learn from it?
- What interests are traditionally marginalized in IP debates and how can they be mobilized to impact policy reform?
- What are the prospects for forming a positive agenda for intellectual property law? What is “positive” and how does the term relate to other definitions of the public interest, such as the concern for “access”?
- What proposals and issues should be considered in constructing a positive agenda?
- How should advocates frame the agenda in terms of new discourses and strategies?
- Where are the current forums where positive agendas are being considered?
- Where are progressive visions and advocacy succeeding?

### **4. Reception, Aug 25 (Public)**

Following the afternoon plenary, all participants and attendees are invited to a dinner reception in the 6th Floor dining rooms and lounges. Shuttle buses will operate on a continuous loop to the Courtyard Marriott Chevy Chase.

## **5. Working Tracks, Aug 26**

On Friday, August 26th the meeting will break into two thematic tracks composed of five separate roundtable discussions on specific topics, including a capstone discussion on the “ways and means” of progressing toward future action and planning. Each Friday session should be attended by 50-60 people, with 10-15 identified as participants in a leading roundtable discussion.

The roundtable participants will lead the discussion for each session in the Friday tracks. These will be the participants assumed to be more active during the discussion at that session. Chairs will have flexibility in structuring the deliberation. Where identified, “discussants” are asked to give five to eight minute introductory statements to lead off the discussion. A more open discussion with all participants, and then with all attendees in the room, will follow. The overall discussion will have an eye toward including a statement or statements on the topic in the final conference declaration.

Each session will map what we know about what can be done to promote positive policy initiatives in a topical area and will deliberate over proposals for consideration in the final conference declaration. The general questions for all the workshop sessions are

- (1) what should be said about the topic in a general statement on the need for a positive agenda in intellectual property law, and
- (2) what research or other further strategic and infrastructure-building work is needed to promote such an agenda.

Some more specific questions that workshops may consider include:

- What are the essential components of a legal enabling environment to promote important public interests in this area?
- What are likely to be the most hospitable norm-setting institutions for a positive agenda over the next 5 to 10 years?
- How can common problems and possible solutions best be framed?
- Where have positive IP policies been implemented, and what were the experiences?
- What social science or legal research is needed to ground and justify positive policies?

The workshops are off the record and will observe the [Chatham House Rule](#). The track structure assumes that people assigned to a particular workshop generally will choose to take part in the other workshops within that track, so as to facilitate a sustained discussion throughout the day. Participants are free, however, to cross over to a session in the other track if they have a special interest in doing so. And all sessions will be video taped for later viewing by other fully accredited participants (on a password protected site).

## **6. Participant Dinner, Georgetown Waterfront, Aug 26**

Following the full day of meetings, buses will take participants from the Washington College of Law to the Georgetown waterfront for dinner at [Sequoia](#), overlooking the Potomac River. After dinner, energetic participants may choose to take a regularly scheduled boat cruise from the Georgetown harbor past the monuments to Old Town Alexandria, hit the Georgetown bars or stroll through the D.C. monuments. Transportation will also be provided back to the hotel.

## **7. Thematic and Works-in-Progress Workshops, Aug 27**

On Saturday morning the meeting will break into a larger number of free-standing seminar-style workshops to plot strategy, share information, or present academic or policy analysis works in progress. These include several open slots in which participants may self-organize workshops of their choosing. Applications to host a self-organized workshop will be posted on the [Global Congress website](#) closer to the meeting time.

As with other parts of the Congress, any accredited participant may attend any workshop -- you need not be designated as a participant to attend. Because these workshops will be smaller -- with 10-20 people in each -- we expect them to enable a high level of participation from every person attending.

## **8. Saturday Afternoon Plenary and Final Declaration, Aug 27**

It is the hope and expectation of the organizers that Congress participants will help to fashion a general statement on the need for changes in intellectual property law that serve the general public, in contrast to many recent policy proposals that focus only on the interests of enforcing intellectual property rights. On Saturday afternoon, the track chairs will report back thoughts and suggestions for the final conference declaration and open these ideas for general discussion. In the week following the meeting, the track chairs will finalize a draft declaration and post it for additional comment and editing on the [Global Congress website](#). The declaration will be open endorsement after this process.

Endorsement of the declaration will, of course, be optional, and will be open to attendees and non-attendees of the Congress alike. Individuals will not be required to attend the final session in order to endorse the declaration and attendees at the meeting will not be required or assumed to endorse the final text by virtue of their attendance.

The organizers do not expect that every detail of the declaration's language will meet with complete approval from every endorser. We envision a document similar in form to the [1993 Bellagio Declaration](#), which included this statement:

“Inevitably, each of us would change some word or phrase, or shift some emphasis. Its signatories agree however, to the central themes and spirit of this Declaration and to the urgent sense of concern that motivated it.”

## **WORKS IN PROGRESS ASSIGNMENTS**

Some but not all of you have expressed an interest in presenting a paper at the Global Congress on Intellectual Property and the Public Interest for feedback by colleagues. For this purpose, we have established several works in progress workshops on Saturday August 27th. These workshops will differ from other sessions in the Congress in that they will not be geared toward deliberation over principles for inclusion in the Congress declaration, but rather will be geared toward giving feedback on draft written work. You will also have a longer presentation period followed by discussion specifically about your work rather than about the general issue of the session.

Likewise, if you are assigned to a session outside of the works in progress meetings, you will not have an opportunity to formally present a paper and receive back input on it as such.

Rather, the discussants and participants in those sessions, as we described in the concept

note, will have short (max min.) opportunities to discuss ideas geared toward the inclusion of statements in the final declaration. These sessions will be deliberative rather didactic.

If you expressed a desire to present a paper your name should appear in one of the works in progress sessions. If we have misread your intentions in either direction and wish to change your participation please Sean know ASAP at [sflynn@wcl.american.edu](mailto:sflynn@wcl.american.edu).

## **CHAIRS**

We have designated one participant in each workshop to serve as the chair. The chair role is pretty easy and predictable. We just need someone in each meeting to begin the presentations, time keep, moderate and such. The chair can decide how to structure the feedback for each presentation, e.g. whether to pause for discussion after each presentation or to have discussion following a panel of presentations.

## **UPLOADING**

To facilitate feedback, every paper presenter must post their work in the session library for your works in progress session at <http://infojustice.org/public-events/global-congress> by August 22.

To upload papers for sharing and review by others, go to the [Global Congress website](#) and find the applicable workshop on the agenda. There you will see a “library” link. Click that link and then find and click the “upload” tab at the top of the page. The instructions from there will guide you through the process. Note that uploaded files will not appear immediately. The Congress hosts will need to administratively approve each submission. So you should see your paper posted within 24 hours of uploading.

For other sessions, we also encourage you to share your work or the work of others relevant to the topic. To do so, follow the same instructions as above.

Please note that these are public libraries. Only post work you have the right to share.

We will take down all works in progress directly after the meeting unless you authorize their broader sharing.

If you do not wish to post your paper to the website, please share it by email with the other members of your workshop. You can find their email details for participants at:

<http://goo.gl/4vp28>

## **NOTES**

Each session and workshop also has a notes section. This will be a space where chairs can post questions for discussion or additional concept notes to frame the meeting. It will also be a space for meeting participants to collaboratively record notes from the meeting’s deliberations.

## **PARTICIPANT NETWORK**

The GC website includes a professional networking function to foster continuing discussion by the participants with each other before, during and after the meeting. This function will work a bit like a specialized Facebook account -- enabling participants to share biographical information, view and post to a community wall, create discussion forums, and send and receive direct messages. We will create accounts for participants including the information we have from the registration materials. The default password for all accounts is set to "pijip2011" (case sensitive). You can get a head start on joining the network and filling out additional details on yourself by [registering](#) at the Congress website. This function will be available for updating and use any time before and after the meeting.

## **PUBLICATION OPPORTUNITIES**

Although formal papers are not required from participants, we do desire to use this opportunity to support and promote scholarship and publication on the themes of the Congress.

Finalized papers will be considered for publication in the [PIJIP Digital Commons working paper series](#) in the Fall of 2011 as well as for a symposium issue of the American University International Law Review to be published in the Spring of 2012.

## **QUESTIONS AND COMMENTS**

The organizers strove to place speakers and presenters in the right spots, to make sure we accurately interpreted your interests and to implement a system for tracking who will be taking part in the Congress. But there are always mistakes and miscommunication in organizing an event of this magnitude. So please let us know about any problems you notice.

You can forward scheduling suggestions and other substantive comments to Sean at [sflynn@wcl.american.edu](mailto:sflynn@wcl.american.edu) and logistical questions to Meredith at [mjacob@wcl.american.edu](mailto:mjacob@wcl.american.edu)