

Context and Background

Invention, innovation and creativity must have well-founded “acknowledgement” for the individual being the creator. Communities upholding this ideal can benefit humanity for generations to come.

I am a self-published author and the owner of an innovations patent issued in 2014. The innovations patent is related to my published book and family knowledge process venture. I have invested 150,000 of capital into my intellectual property over a two year period. I have made this investment in good faith and under the current IP and Copyright Legalisation operating in Australia.

If the recommendations outlined in the Productivity Commission’s Draft Report in April 2016 are enacted I can state this:

- I would not have invested creative time, capital and vision into my own venture.

The recommendations stated in 7.1 and 4.2 would have killed any entrepreneurial or creative venture I was thinking of. The granting of an innovations patent in 2014 was external assurance and a milestone achievement for me to keep developing and testing my creative business concept.

DRAFT RECOMMENDATION 7.1 and DRAFT FINDING 4.2

- 7.1 The Australian Government should abolish the innovation patent system.
- 4.2 While hard to pinpoint an optimal copyright term, a more reasonable estimate would be closer to 15 to 25 years after creation; considerably less than 70 years after death.

I disagree with the basis and believed impact of the recommendation and finding above.

The Information Age

*“The global economy and technology are changing and there have been increases in the scope and duration of intellectual property protection. The Australian Government seeks to ensure that the appropriate balance exists between incentives for innovation and investment and the interests of both individuals and businesses, including small businesses, in “**accessing ideas and products.**”*
(Source: Terms of Reference, Page IV, Draft Report)

In my opinion the report confuses its own objectives in formulating recommendations. The issue of “**accessing ideas and products**” is a different issue to **acknowledging a creator of ideas and products**. The Report’s recommendations attack **acknowledgement of creativity** and cause great cultural imbalance by rewarding those that can **access and exploit** others work.

In the Information Age:

- the cost of storing data and creating products is decreasing (direct fact),
- our technological capability of being able to keep information and acknowledge the direct contribution of each separate human life is increasing (direct fact),
- therefore, the cost and time of “accessing ideas and products” from an individual’s creative work is decreasing (direct fact).

If these facts stand ... why do we need new legislation to decrease the right of ownership of an individual's direct creativity?

Technology is providing humanity with the capability to “**acknowledge**” creativity from each person, IT can support creative people for owning and sharing ideas, thereby reducing exploitation and bullying from others. If an idea fulfils a “want”, humans will find the fastest way to access it and exploit it. Mark Zuckerberg has been acknowledged in film and history books for founding Facebook. His ideas have been accessed and replicated many times over, but the acknowledgment of creativity hasn't been taken away - yet.

Creativity doesn't come because of legislation; creativity comes from humans needing to solve problems. For creative humans, getting acknowledgement for solving a problem or creating works of art is a high reward. Australia's current system is aligned to this ideal, this latest report is not .