Interdisciplinary Studies in Society, Law, and Politics 2023; 2(3): 1-3

ISSLP
Interdisciplinary Studies in Society, Law and Politics

Letter to Editor

Rethinking Intellectual Property Rights in the Era of Open Science

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Received: 2023-03-23 **Revised:** 2023-04-22 **Accepted:** 2023-04-25 **Published:** 2023-07-01

The evolving landscape of knowledge creation and dissemination, particularly through the lens of open science, prompts a critical reevaluation of our current intellectual property (IP) rights framework. As we navigate the complexities of the digital age, the traditional paradigms of intellectual property management are increasingly at odds with the ethos of open innovation and the accelerating demand for accessible knowledge. This letter aims to explore the tensions between intellectual property rights and open science, drawing on recent scholarship to advocate for a more nuanced approach to IP in the era of open science. It is clear that the current IP framework requires a thoughtful reassessment to better accommodate the principles of open science. Such a reassessment could involve exploring flexible IP models that encourage innovation and knowledge sharing, such as licensing agreements that permit the use of intellectual property in ways that advance scientific research and public health objectives. Additionally, policies that support the creation of public knowledge commons could further the goals of open science by ensuring that scientific data and research outputs are accessible to all. In conclusion, the era of open science calls for a redefined approach to intellectual property rights—one that not only protects the interests of creators but also promotes the collective advancement of knowledge and innovation. By embracing the principles of openness, collaboration, and accessibility, we can forge a path towards a future where scientific research and innovation are driven by the shared goal of advancing human knowledge and well-being.

Keywords: *Intellectual Property, IP Rights, Open Science.*

How to cite this article:

Kumar Nejad, N. (2023). Rethinking Intellectual Property Rights in the Era of Open Science. *Interdisciplinary Studies in Society, Law, and Politics, 2*(3), 1-3.
https://doi.org/10.61838/kman.isslp.2.3.1

The evolving landscape of knowledge creation and dissemination, particularly through the lens of open science, prompts a critical reevaluation of our current intellectual property (IP) rights framework. As we navigate the complexities of the digital age, the traditional paradigms of intellectual property management are increasingly at odds with the ethos of open innovation and the accelerating demand for accessible knowledge. This letter aims to explore the tensions between intellectual property rights and open science, drawing on recent scholarship to advocate for a more nuanced approach to IP in the era of open science.

The concept of open science, as advocated by Gold (2016; 2021), emphasizes the importance of accelerating translational research and fostering innovation through the principles of openness and collaboration (Gold, 2016, 2021). This shift towards a more inclusive model of scientific inquiry challenges the conventional wisdom that strict IP protections are the primary drivers of innovation. Instead, it suggests that in certain contexts, the communal sharing of knowledge and resources, as embodied in the pharmaceutical commons described by Lezaun and Montgomery (2014) and Hendrickx and Dooms (2021), can lead to more equitable and efficient outcomes in addressing public health challenges

(Hendrickx & Dooms, 2021; Lezaun & Montgomery, 2014).

The tension between IP rights and open science is not just theoretical but has practical implications for how knowledge is managed within open innovation processes. Bican, Guderian, and Ringbeck (2017) highlight the need for managing knowledge effectively in open innovation environments, where intellectual property perspective plays a critical role (Bican et al., 2017). Similarly, Chen (2022) examines the institutional logic and dilemmas of open source innovation, using blockchain as a case study to illustrate the complexities of navigating IP management in open innovation contexts (Chen, 2022).

Furthermore, the ethical considerations surrounding intellectual property rights, as discussed by Shah, Warsh, and Kesselheim (2013), underscore the need for a balanced approach that respects creators' rights while promoting global access to knowledge and innovation (Shah et al., 2013). This ethical imperative is particularly relevant in the context of global health emergencies, where access to knowledge and medical innovations can have life-or-death consequences.

The convergence of open source, open access, and open science, as identified by Willinsky (2005), points to an emerging paradigm where the free flow of information and collaborative efforts are valued over the exclusivity of knowledge ownership (Willinsky, 2005). This convergence challenges us to rethink how intellectual property rights are framed, awarded, and enforced in a way that aligns with the goals of open science and the broader public interest.

Regarding these considerations, it is clear that the current IP framework requires a thoughtful reassessment to better accommodate the principles of open science. Such a reassessment could involve exploring flexible IP models that encourage innovation and knowledge sharing, such as licensing agreements that permit the use of intellectual property in ways that advance scientific research and public health objectives. Additionally, policies that support the creation of public knowledge commons could further the goals of open science by ensuring that scientific data and research outputs are accessible to all.

In conclusion, the era of open science calls for a redefined approach to intellectual property rights—one that not only protects the interests of creators but also promotes the collective advancement of knowledge and innovation. By embracing the principles of openness, collaboration, and accessibility, we can forge a path towards a future where scientific research and innovation are driven by the shared goal of advancing human knowledge and well-being.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

Acknowledgments

None.

Declaration of Interest

The author reports no conflict of interest.

Funding

According to the author, this article has no financial support.

Ethical Considerations

None.

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