

Intellectual Property in Space Tourism: Gaps in International Law and the Need for New Regulations

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1. Round 1

1.1. Reviewer 1

Reviewer:

The research questions are stated but slightly buried in the middle of a long paragraph. Consider enumerating them as a numbered list or in bullet form to improve readability and highlight your paper's original inquiry.

While you summarize previous scholarship (e.g., von der Dunk, Franssen, Hugenholtz), there is little critical synthesis. Explain where your analysis extends beyond these authors — for example, by linking IP territoriality issues directly to commercial risk in space tourism, a point underdeveloped in prior literature.

Consider referencing the Intergovernmental Agreement on the International Space Station (IGA) and its module-based jurisdiction rules. This would show deep knowledge of existing governance instruments and strengthen your argument.

You could connect this issue to cross-border enforcement challenges under the Berne Convention and WIPO Internet Treaties (WCT, WPPT). This would clarify why current instruments fail.

This is an important normative statement; cite concrete economic concentration trends (e.g., dominance of SpaceX, Blue Origin, Virgin Galactic) or market data to support this risk assertion.

Consider specifying what new competencies WIPO would need (e.g., dispute resolution forum, space-specific IP registry). This would move from critique to constructive proposal.

The conclusion mostly restates earlier sections. Add a distinct “contribution” paragraph clarifying how this paper advances scholarship beyond existing reviews.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

It would strengthen methodological transparency to specify databases or legal sources searched, selection criteria for documents, and whether the comparative analysis of the US and EU was systematic or illustrative.

This paragraph could be tightened: it blends general IP evolution with outer space without clear transition. Suggest splitting into two paragraphs — one on IP frameworks (Paris, Berne, TRIPS, WIPO) and another on the unique spatial context.

You define space tourism but later refer to “commercial exploitation of outer space.” Standardize terminology (space tourism vs. private spaceflight vs. commercial space travel) to avoid confusion.

It would be valuable to add examples of actual IP disputes (even if anonymized or from analogous aerospace sectors) to illustrate the real-world consequences of this default.

It would improve rigor to mention at least one known arbitration case (even anonymized satellite or remote-sensing disputes) to ground this observation.

Strengthen by discussing political feasibility: e.g., low ratification of the Moon Agreement may predict difficulty in adopting new protocols — how might that be addressed?

Explain more concretely how such limitations would work (e.g., patent term reduction, compulsory licensing triggers). Readers will appreciate a practical model.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.