

## Foreword by Dr. K. Anji Reddy

The instinctively appealing proposition that knowledge ought to be used for the public good—the common cause—is at the core of the debate surrounding the ethics of intellectual property. This notion of the role of knowledge in advancing the public good has deep roots in numerous cultures and communities. Rabindranath Tagore, the universally celebrated poet and Nobel laureate penned a stirring plea of hope:

*Where knowledge is free  
Where the world is not broken up into fragments by narrow domestic walls  
... Into that heaven of freedom, my Father  
Let my country awake!*

The debate is particularly intense in relation to health and food, areas in which restrictions to access can profoundly affect the human condition. Jonas Salk, the inventor of the first polio vaccine, refused to patent it and famously said: “*Who owns my polio vaccine? The people! Could you patent the sun?*” But the debate over what constitutes patentable subject matter has actually intensified over the years, as concerns have deepened over access. Nowhere is this more pertinent than with antiretrovirals, with the patenting of live organisms, cell lines, and plant varieties.

A persistent disparity in the human condition has accompanied us into the 21st century. This disparity is mirrored by differences, within our global community, regarding access to knowledge and technology, between the rich and the poor. Despite grave incongruities, there is consensus that new knowledge and innovation can contribute significantly to rectifying the inequalities. The faster and more efficient the flow of knowledge “*through narrow domestic walls,*” the faster global equity and prosperity will replace global disparity.

The ethical debate over intellectual property rights focuses on the flow of knowledge. But there must be innovation initially to trigger the flow. The great centers of education and research in the public sector have made enormous contributions to furthering knowledge that have significantly improved the human condition, directly or through inventive augmentation by others. Private corporations and individuals have contributed stunning advances as well, and have promoted productive and creative uses of knowledge through science and technology. The crucial question, therefore, is how to increase investment—in

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both the public and private sectors—to accelerate innovation and facilitate its flow for the greatest possible benefit.

Though the question may be simple, the answer is not. Yet, clear is the message from the writers of the *Executive Guide to Intellectual Property Management in Health and Agricultural Innovation: A Handbook of Best Practices*—that innovation, which can be transformed into intellectual property and then owned and sold for profit in order to sustain investment for further innovation, can be managed to benefit all people, and particularly those who are poor and stand to benefit most from this process. Most experts acknowledge that the notion of intellectual property rights is a compromise between the twin imperatives of providing a reward system that will spur investment in innovation, on the one hand, and use it to *effect the greatest public good*, on the other. Like all compromises, this one too may be imperfect, but it is actionable and practical.

Winston Churchill foresaw the potential of the knowledge economy and asserted that “*the empires of the mind are the empires of the future.*” The “haves” of the world own the lion’s share of global intellectual property and it is no coincidence that they represent the lion’s share of global wealth. The challenge for the “have nots” among nations, most of which have not had the benefit of experience with a robust intellectual property system, is to rapidly develop legislative and policy frameworks to foster a culture of innovation and to manage intellectual property for the greatest benefit. This *Executive Guide* includes many thought-provoking ideas that will support such transformations.

Remarkable in its scope, the *Handbook* not only provides discussion of broad, general, and theoretical issues, it also provides practical ideas that can help institutions and companies strategically manage their intellectual property. The *Handbook* is an epic compilation of over 2000 pages in two volumes, with contributions from nearly 200 authors. It is an invaluable and instructive sourcebook for scholars and students, policymakers and practitioners.

Now, the vast knowledge represented by the *Handbook* has been distilled in the companion *Executive Guide*, which summarizes the *Handbook’s* 17 sections and presents key implications and best practices related to each of the major topics. I am delighted to recommend the *Executive Guide*. It will serve as a concise guide for experts and provide fascinating insight for all citizens of the Brave New World.

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