

20 April 2006.

Dear Mr Gowers

### **Gowers Review of Intellectual Property: Submission**

We agree that intellectual property is crucial to the success of knowledge-based industries and that these industries are increasingly important for the UK's economic competitiveness in the global economy.

We also agree that the intellectual property framework must balance innovation and competition. We would however stress that the *public interest* is a vital component in this equation.

We believe that the intellectual property system should be the subject of continuous review designed to ensure that it meets its stated ends. In this, priorities for policy development should be based upon independent multi-disciplinary evidence which takes cognisance of the economic, societal and individual values inherent in the system. We are not convinced that it will be possible for the current Review to formulate policy priorities nor gather the evidence necessary for incremental changes to the system for a number of reasons:

- **The time period.** It is not possible to gather, consider and submit fully reasoned evidence within the timeframe of 23 February 2006 to 21 April 2006.
- **The scope of the review.** IP is not only of critical value to the economy but also has impacts on other fields including health, education and cultural diversity. We question whether these can be properly investigated within the scope of the current Review.
- **Expertise.** We question whether it is possible for the Gowers Review Team to acquire the expertise necessary within the review period to appreciate the potential wider impact their decisions and changes may have on the system as a whole within its domestic, European and global context.
- **Transparency.** We welcome the open call for submissions to the Gowers Review. However we are concerned that there may be a lack of transparency. For example, It is not at clear as to why certain people have been invited to join the network of 'Critical Friends' and what role they are to play in this process.

Given the crucial nature of intellectual property to the knowledge based economy we believe that on-going reviews of the system should be conducted by an independent publicly funded body charged with commissioning independent research on the basis of which policy priorities can be formulated and incremental changes investigated.

**Yours sincerely**

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