



The Oil of the 21st Century

Perspectives on Intellectual Property

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Perspectives on Intellectual Property

"Intellectual Property is the oil of the 21st century" - this quote by Mark Getty, chairman of Getty Images, one of the world's largest Intellectual Proprietors, offers a unique perspective on the current conflicts around copyrights, patents and trademarks. Not only does it open up the complete panorama of conceptual confusion that surrounds this relatively new and rather hallucinatory form of property – it must also be understood as a direct declaration of war.

The “War Against Piracy” – a preventive, permanent and increasingly panic-driven battle that defies the traditional logic of warfare – is only one of the many strange and contradictory crusades that currently take place at the new frontier of Intellectual Property. Under the banner of the “Information Society”, a cartel of corporate knowledge distributors struggle to maintain their exclusive right to the exploitation and commodification of the informational resources of the world. With their campaign for “Digital Rights Management”, the copyright industries attempt to simultaneously outlaw the Universal Computer, revoke the Internet and suspend the fundamental laws of information. Under the pretext of the “Creative Commons”, an emerging middle class of Intellectual Proprietors fights an uphill battle against the new and increasingly popular forms of networked production that threaten the regimes of individual authorship and legal control. And as it envisions itself drilling for “the oil of the 21st century”, the venture capital that fuels the quest for properties yet undiscovered has no choice but to extend the battlefield even further, far beyond the realm of the immaterial, deep into the world of machines, the human body, and the biosphere.

But while Intellectual Property struggles to conquer our hearts and minds, ideas still improve, and technology participates in the improvement. On all fronts, the enormous effort towards expropriation and privatization of public property is met with a strange kind of almost automatic resistance. If piracy – the spontaneously organized, massively distributed and not necessarily noble reappropriation and redistribution of the Commons – seems necessary today, then because technological progress implies it.

Technological progress – from the Printing Press to the BitTorrent protocol – is what essentially drives cultural development and social change, what makes it possible to share ideas, embrace expressions, improve inventions and correct the works of the past. Human history is the history of copying, and the entirely defensive and desperate attempt to stall its advancement by the means of Intellectual Property – the proposition to ressurect the dead as rights holders and turn the living into their licensees – only indicates how profoundly recent advancements in copying technology, the adaptability and scalability they have attained, the ideas and habits they are creating, are about to change the order of things. What lies at the core of the conflict is the emergence of new modes of subjectivation that escape the globally dominant mode of production. The spectre that is haunting Intellectual Proprietors world-wide is no longer just the much-lamented “death of the author”, but the becoming-producer and becoming-distributor of the capitalist consumer.

The world has irrevocably entered the age of digital reproduction, and it is time to revisit the questions that Walter Benjamin raised in the light of photography and film: how to reaffirm the positive potential and promise that lies in today’s means of reproduction, how to refuse the artificial scarcity that is being created as an attempt to contain the uncontrolled circulation of cultural commodities, how to resist the rhetoric of warfare that only articulates the discrepancy between the wealth of technical possibilites and the poverty of their use, and how to renew the people's legitimate claim to copy, to be copied, and to change property relations.

In order to deconstruct – and to develop radically different perspectives on – the “oil of the 21st century”, there is an urgent need for approaches that provide fewer answers and more questions, produce less opinion and more curiosity. The coils of the serpent are even more complex than the burrows of the molehill, and the task is to trace, with the same bewilderment that befell Franz Kafka at the advent of the modern juridical bureaucracies, the monstrous, absurd and often outright hilarious legal procedures and protocols of the Intellectual Property Era.

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Tracks and topics of the conference*

* Prototype version. Actual conference may depart from other starting points and/or lead to different results.

General Rights Management

Digital Rights Management (DRM) not only proposes a set of new technological measures against unauthorized copying. It also promotes, on a conceptual level, an idea of individual rights that are no longer declared or granted, but instead directly implemented as the functionality - or the defects - of technology. Rights Management in general appears to be one of the most far-reaching new paradigms of control. The field of rights that it promises to manage stretches far beyond the Intellectual Property of the entertainment industry. In its most general form, Digital Rights Management will lead to Political Rights Management: an entirely new framework for various forms of hidden access restrictions and censorship in an increasingly networked world.

File-Sharing as Culture Industry

Peer-to-peer networks are here to stay. Often dismissed as a mere conspiracy of teenage consumers against the media industry, these networks have become one of the most powerful and resilient environments for the collaborative production and reproduction of cultural data. Thus it seems that the question of file-sharing is no longer just a matter of identifying and routing around its corporate adversaries. Instead, it is becoming a question of organization. One can already make out a multitude of new initiatives, groups, alliances, coalitions and business entities that are heavily - and not only ideologically - invested in the future of peer-to-peer protocols and infrastructure. The next Culture Industry may already be in the making.

Drinks & Discussion: A Party in the Bureau at the Bay

In the evenings - on Friday, Saturday and Sunday, from 9 pm until late - The Oil of the 21st Century provides food, drinks, and an open space for a variety of more informal activities. *Free entry, no conference ticket needed.*

Keep Up Your Rights, Case by Case

Current debates about Intellectual Property are often focused on the level of national law - and the need for its international harmonization - and the sphere of universal rights, like freedom of speech or access to information and medicine. Still, neither the vision of globalized law nor the desire for universal human rights seem to do justice to the facts on the ground, to the specific nature of the contained and often local Intellectual Property conflicts in everyday life. These conflicts are, essentially, cases: not so much applications of universal principles or denials of abstract rights, but rather particular and often unique constellations of power. Strategies for interventions in the field of Intellectual Property may have to acknowledge that they can only operate case by case.

The Poverty of the Small Author

In the age of digital reproduction, the problem of the “small author” remains: as the problem of the Intellectual Proprietor and his or her material reproduction, but also, and more importantly, as a problem of a specific political mentality. Among the many possible modes of production and subjectivation, the figure of the “small author” - who is always already deprived from the fruits of his hard labor, either by “the industry” or by “the pirates” - may be the most unfortunate one. But for the masses who know that they will never be part of a thriving global middle class of Intellectual Proprietors, there are other options. Not to entrench themselves against technological progress, but to radically embrace it: to explore new forms of collaboration and production beyond traditional authorship, to employ the most advanced methods of digital reproduction, and to reaffirm the instability of property relations.

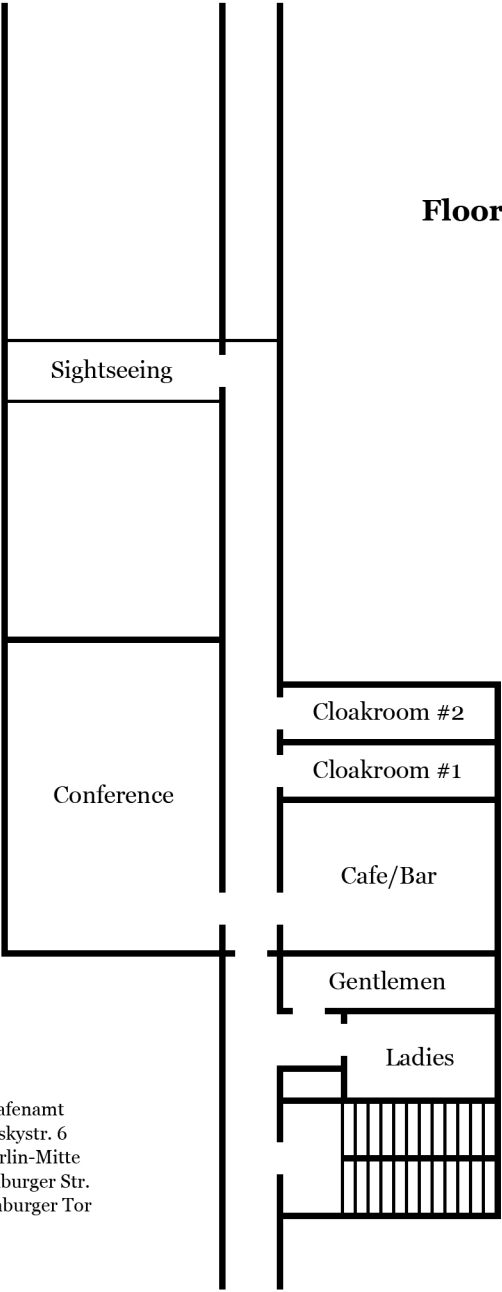
World Premiere: Steal This Film Part 2

In their new documentary, The League of Noble Peers takes a deep look at the history of copying, from the Printing Press to the BitTorrent protocol. The long list of contributors includes Craig Baldwin, Yochai Benkler, Adam Burns, Bob Darnton, Erik Dubbelboer, Elizabeth Eisenstein, Dan Glickman, Brewster Kahle, Peter Kolmisoppi, Raph Levine, Lawrence Liang, Sebastian Lütgert, Eben Moglen, Rick Prelinger, Howard Rheingold, Seth Schoen, Aaron Schwartz, Felix Stadler, Siva Vaidhyanathan, Fred von Lohmann and others.

Agencies, Protocols, Infrastructure: The Long Breakfast of Futures

The last day - Sunday afternoon, from 1 pm - is reserved for a mostly internal session that aims to identify and to influence future developments in the field of copyright. *Guests are welcome by prior arrangement.*

Floor Plan



Telegrafenam
Tucholskystr. 6
10117 Berlin-Mitte
S Oranienburger Str.
U Oranienburger Tor

Tickets: Friday EUR 3, Saturday EUR 3, Friday+Saturday EUR 5, free after 9 pm

Timetable

1 pm			
3 pm	<p>Presentations</p> <p>Keep Up Your Rights, Case by Case</p> <p>Daniela Alba Volker Grassmuck Alan Toner</p>	<p>Internal Workgroups</p> <p>Agencies, Protocols, Infrastructure</p> <p>Speakers and Guests</p>	
5 pm	<p>Introductions</p> <p>General Rights Management</p> <p>Rasmus Fleischer Sebastian Lütgert Felix Stalder</p>	<p>Conversation</p> <p>The Poverty of the Small Author</p> <p>Christian von Borries Ariane Müller Cornelia Sollfrank Palle Torsson</p>	
7 pm	<p>Panel</p> <p>File-Sharing as Culture Industry</p> <p>Jamie King Mininova The Pirate Bay Torrentfreak</p>	<p>Screening and Debate</p> <p>Steal This Film Part 2</p> <p>The League of Noble Peers</p>	
9 pm	<p>Drinks and Discussion</p>	<p>A Party in the Bureau at the Bay</p>	<p>Closing Ceremony</p>
	Fri 26 Oct	Sat 27 Oct	Sun 28 Oct

The Oil of the 21st Century

Hosts and Speakers

Jamie King

is a novelist and filmmaker based in London and a member of the *League of Noble Peers*

Alan Toner

Irish intellectual property researcher, communications theorist and, most recently, wine maven

Christian von Borries

(*masseundmacht.com*) is a conductor, composer and music producer from Berlin

Ariane Müller

lives in Berlin, works both as an artist and as a project coordinator for the United Nations' Habitat Program

Kobe Matthys

artist from Brussels, founder of *Agency*, conducts research on various practices of reappropriation

Cornelia Sollfrank

is a media artist from Hamburg whose works frequently attempt to undermine the notion of authorship

Felix Stalder

co-founder of *Openflows*, teaches media economy at the Academy of Art and Design in Zurich

Lawrence Liang

is a film theorist and legal researcher with the *Alternative Law Forum* in Bangalore

Volker Grassmuck

sociologist and media researcher from Berlin, recent initiatives are *Wizards of OS* and *iRights.info*

**Lennart
Rensema**

runs *TorrentFreak*,
one of the leading news
sites about BitTorrent
and file-sharing in
general

**Erik
Dubbelboer**

is the president of
Mininova, one of the
largest BitTorrent
search engines in
the world

Palle Torsson

is an artist from
Stockholm who has
produced several works
based on the graphic
engines of popular
video games

**Daniela
Patricia Kopimi
Maidana Alba**

is a member of
Piratbyran, the
Swedish Piracy
Bureau

**Rasmus
Fleischer**

historian and musician
from Stockholm, has
written extensively
about copyright
and piracy

**Peter
Kolmisoppi**

is one of the three
people behind *The
Pirate Bay*, the popular
Swedish BitTorrent
tracker

**Sebastian
Bodirsky**

is, among various
other things, an artist
and filmmaker
from Berlin

Susanne Lang

is a media consultant,
conference producer
and collaborator within
numerous activist
networks

Jan Gerber

lives in Berlin,
works as a video artist
and software developer,
co-initiator of the
Oil 21 project

**Sebastian
Lüttger**

is a writer,
programmer and
co-founder of
*Pirate Cinema
Berlin*

The Oil of the 21st Century

Events in November and December 2007

Mon	<div>Umea, Nov 5-9</div> <div>Seminar and Workshops</div> <div>Beyond Intellectual Property</div> <div>From File-Sharing to Distributed Archiving</div> <div>Rasmus Fleischer</div> <div>Jan Gerber</div> <div>Sebastian Lütgert</div> <div>Florian Zeyfang</div>	12	19	26
Tue				<div>Rotterdam, Nov 27</div> <div>Presentation</div> <div>Oil21Database</div> <div>Sebastian Lütgert</div>
Wed			<div>Empoli, Nov 21</div> <div>Presentation</div> <div>Oil21Database</div> <div>Jan Gerber</div>	
Thu				
Fri		<div>Berlin, Nov 16-17</div> <div>Workshop</div> <div>Shivers of Sharing</div> <div>Jamie King</div> <div>James Stevens</div>		
Sat				
Sun		<div>Berlin, Nov 18</div> <div>Lecture</div> <div>Copyfarleft</div> <div>Dmytri Kleiner</div>	<div>Berlin, Nov 25</div> <div>Lecture</div> <div>Kapital & IP</div> <div>Johannes Wilms</div>	
November 2007				

Unless explicitly stated otherwise, the above events will be held at the new *Oil of the 21st Century* venue:

For additions, changes and details, see
www.oil21.org/events

Mon

Tue

Wed

Thu

Fri

Sat

Sun

December 2007

Berlin, Dec 2
Lecture
Digital Divide?
Jochen Becker

Berlin, Dec 7-9
Seminar and
Workshop
**Taxonomies
of Intellectual
Property**
Kobe Matthys
Peggy Pierrot

Berlin, Dec 13-14
Lecture and
Screenings
**The River
as Archive**
Lawrence Liang

Bombay, Dec 21-22
Closing Debate
**Archive,
Access,
Anxiety**
Shaina Anand
Susanne Lang
Ashok Sukumaran



A project by Bootlab, based on a concept by Partner gegen Berlin,
produced in collaboration with Sarai, The Thing and Waag Society



Conference: Berlin, October 26-27, 2007
The Oil of the 21st Century: www.oil21.org