Act for a Department of World Patents and Intellectual Property Rights adopted December 2003 in Chennai, Tamil Nadu, India, by the seventh session of the provisional World Parliament, convened in conformance with Article 19 of the *Earth Constitution*. Amendments adopted August 2004, in Lucknow, Uttar Pradesh, India, at eighth session of the provisional World Parliament.

World Legislative Act #21

Department of World Patents and Intellectual Property Rights

Short Title:

World Patents

RATIONALE

1) Through a system of absolute intellectual property rights (IPRS), the international system has kept the developing countries in a low technology condition, forcing the developing countries to sell natural resources to the wealthy countries to be there manufactured and sold back to the developing countries at a profit. The old system has kept monopoly control over marketable ideas and innovations, thereby belying an ideology of so-called "free trade." Versions of the system have been going on since the advent of colonialism. The old system keeps life saving drugs from reaching the AIDS stricken countries of Africa. The old system keeps seeds and key agricultural necessities profitably expensive while poor farmers starve worldwide. The international system of IPRS also permits unjustifiable corporate piracy of the ideas, techniques, and natural medicines of traditional cultures and indigenous peoples worldwide, making traditional medicines and techniques legally prohibited from the very people who developed and used traditional medicines and techniques for centuries.

2) Large scale technology transfer and infusion of fertile ideas and techniques for sustainable development can be activated through common sense revisions of current intellectual property rights laws. As the writings of economists Michael Chossudovsky, David Korton, Vandana Siva, J.W. Smith and others have shown, one way the wealthy retains neo-colonial monopoly control on the global economy is through intellectual property rights, which have become a fundamental tenant in WTO regulations. The simple device of allowing any patented idea to be used for the payment of a reasonable royalty fee would make all ideas and techniques available to humankind for sustainable development purposes.

3) The simple change of allowing any idea to be used if a reasonable royalty is paid, eradicates these intellectual property rights monopolies and liberates the poor of the world for efficient, rapid development. This modified system of intellectual property rights would also activate the regional economies of the world with a tremendous influx of new techniques and ideas. Scarcity would be ended and prosperity rapidly created.
Authority for this Act under the *Earth Constitution*:
Powers granted to the Earth Federation by Article 4 of the *Earth Constitution* include powers to (# 9) Establish universal standards for weights, measures, accounting, and records; (# 12) Define standards and promote the worldwide improvement in working conditions, nutrition, health, housing, human settlements, environmental conditions, education, economic security, and other conditions defined under article 13....; (#14) Regulate and supervise supra-national trade, industry, corporations, businesses, cartels, professional services, labor supply, finances, investments and insurance; (#33) Resolve supra-national problems caused by gross disparities in technological development or capability, capital formation, availability of natural resources, educational opportunity, economic opportunity, and wage and price differentials. Assist the processes of technology transfer under conditions which safeguard human welfare and the environment and contribute to minimizing disparities; (#40) Establish such departments, bureaus, commissions, institutes, corporations, administrations, or agencies as may be needed to carry out any and all the functions and powers of the World Government.

ENACTMENT BY THE PROVISIONAL WORLD PARLIAMENT

1) We delegates of the eighth session of the provisional World Parliament at Lucknow, India hereby create a DEPARTMENT OF WORLD PATENTS AND INTELLECTUAL PROPERTY RIGHTS as a ministry of the World Administration as defined in Article 7, Sec. C of the Earth Constitution. Under Article 7, Sec. C, this new department is number 29.

2) Functions of the DEPARTMENT OF WORLD PATENTS AND INTELLECTUAL PROPERTY RIGHTS:

2.1.) To categorize IPRS into generas and types as appropriate for systematic registry and regulation worldwide.

2.2.) To standardize IPRS into a fair and equitable system inexpensively and easily available to all the worlds citizens and businesses.

2.3.) To devise a system of royalties on patents and property rights that rewards and protects innovators while simultaneously maximizing technology transfer for rapid sustainable development worldwide.

2.4.) To protect traditional cultures and indigenous peoples from intellectual piracy through unjustifiable use of patent powers.

2.5.) To work closely with the Agency for Technological and Environmental Assessment and other relevant agencies to monitor genetic engineering and other possibly dangerous technologies and regulate permits for development of such technologies for the protection of the people of Earth.

2.6.) To present the Department's research and conclusions on all of the above items to the World Parliament for possible enactment into law.

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Amendments adopted August 2004, in Lucknow, Uttar Pradesh, India, at eighth session of the provisional World Parliament.

Attested : Eugenia Almand, Secretary
Provisional World Parliament

IOWP fax: 1-540-831-5919