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EARTH OBSERVATION SYMPOSIUM (B1)
International Cooperation in Earth Observation Missions (1)

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ARE INTELLECTUAL PROPERTY LAWS AN IMPEDIMENT TO THE DEVELOPMENT OF COLLABORATIVE EARTH OBSERVATION MISSIONS?

Abstract

Earth observation (EO) technologies and their applications develop as quickly as other sectors of space industry. In fact, year 2008 saw the biggest number of launches of EO satellites for the past 10 years – 21, 14 from which are civilian and commercial satellites. These developments signify the trend of a more widespread use of EO data. More countries around the world recognise the benefits of using this type of data and products that can be developed using them. Data from satellites with different capabilities and sensors can be combined to produce more accurate information regarding the earth, which can be used for various purposes ranging from research, various decision-making processes to commercial needs.

At the same time the laws protecting information become more stringent in different jurisdictions: new laws are introduced, like the laws on *sui generis* database protection in Europe, or old ones are "upgraded" to provide rightholders with more protection, like in the USA. Although copyright laws, and norms from other fields of law regarding protection of information are not directly applicable to space activities, they do govern the dissemination and use of earth observation data and information products derived from them.

It is the aim of this paper to explore how copyright and other information protection regulations influence earth observation missions and shape the regimes of data exchange, distribution and use across the nations. It will incorporate analysis of some case-studies (e.g. Brazil, Canada) in order to highlight the differences in copyright regulations and possibly the differences in data sharing arrangements within different missions. The main goal for the author to achieve is to assess which information protection regime – more liberal or more stringent – has the potential to foster the development of international earth observation missions.