

Curriculum Vitae: Peter Drahos

Present Post: Professor, Regulatory Institutions Network, College of Asia and Pacific, Australian National University

Other Positions:

Chair in Intellectual Property, Queen Mary, London University

Director of the Centre for the Governance of Knowledge and Development, RegNet, ANU.

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Date of Birth: 16 October 1955

Marital Status: Married, two children

Nationality: Australian

Qualifications:

LLB/BA (Hons) (University of Adelaide, LLB conferred 1978, BA 1979);
Graduate Diploma in Legal Practice (University of South Australia, conferred 1980).
LLM (Hons) (University of Sydney, conferred 1987),
PhD (Australian National University, conferred 1997)
Admitted as a barrister and solicitor of the South Australian Supreme Court in December 1980.

Main Research Interests: Legal Philosophy, Globalization, Intellectual Property, Trade and Development

Employment History:

- (i) **University of Adelaide** : 1980 Tutor in Political Philosophy in the Department of Politics
- (ii) **Commonwealth Attorney-General's Department** : Mar 1981 - April 1987:
Senior Legal Officer and Acting Principal Legal Officer in Commercial and Drafting Division. Drafted Commonwealth legislation.

- (iii) **Australian National University** 1987 – August 1998: Senior Lecturer at Law Faculty and Research Fellow, Law Program, Research School of Social Sciences (1994).
- (iv) **Queen Mary, London University** September 1998 – November 2001: Herchel Smith Senior Research Fellow in Intellectual Property, Centre for Commercial Law Studies, Queen Mary College, University of London.

Teaching

(1) ANU Law Faculty: Criminal Law, Property Law, Legal Method, Intellectual Property, Information Technology Law, Law and Medicine, Restrictive Business Practices (Competition Law), Jurisprudence/Legal Theory, Advanced Intellectual Property.

(2) University of London LLM: Guest Lecturer in International and Comparative Law of Patents, Trade Secrets and Related Rights, 1999-2001.

(3) Melbourne University LLM: Visiting Lecturer in Intellectual Property and Development.

Grants

\$9,000 from the Australian Research Council to do a study of the international regulatory system for intellectual property.

\$150,000 (with John Braithwaite) from the US National Science Foundation, the American Bar Association and the Australian Research Council to do a study of the global regulatory system.

60,000 euro from the Trade Directorate of the European Commission to do a ‘Study on the Relationship Between the Agreement on TRIPS and Biodiversity Related Issues’ (2000).

US\$123,000 (with Michael Blakeney) from the Rockefeller Foundation to do a study on developing country leadership and intellectual property (2002).

\$297,250 Linkage Grant from the Australian Research Council and IP Australia for ‘National and Regional Patent Administration in Small to Medium-Sized States in the Global Economy’ (2004).

\$385,000 (with Tom Faunce and David Henry) Discovery Grant from the Australian Research Council, ‘The Impact of International Trade Agreements on the Regulation and Provision of Medicines in Australia’ (2004).

\$400,000 (with Nicola Piper and Clifford Shearing) Discovery Grant from the Australian Research Council, ‘Nodal Governance and Human Security’ (2004).

\$240,000 (with Luigi Palombi) Discovery Grant from Australian Research Council, ‘The Sustainable Use of Australia’s Biodiversity: Transfer of Traditional Knowledge’ (2007).

Publications

Books

A Philosophy of Intellectual Property, Dartmouth, Aldershot, 1996, 257 pp.

[Chinese translation published by The Commercial Press, Beijing, 2008. Translated by Professor Zhou Lin of the Chinese Academy of Social Sciences.]

John Braithwaite and **Peter Drahos**, Global Business Regulation, Cambridge University Press, 2000, 704pp.

*[Awarded the Hart Socio-Legal Studies Book Prize for 2000;
Winner of the American Sociological Association's Prize in the Sociology of Law 2002;
Honourable Mention in the Law Society Association Jacobs Book Prize 2002;
Winner of the Grawemeyer Award in Ideas Improving World Order, 2004]*

Peter Drahos with John Braithwaite, Information Feudalism (Earthscan Publications, London, 2002; New Press, New York, 2002; OUP, New Delhi, 2002)
(Chinese translation published 2005)

Edited Books

Intellectual Property, Dartmouth's 2nd series in International Library of Essays in Law and Legal Theory, Ashgate, Dartmouth, Aldershot, 1999, 547pp.

Peter Drahos and Michael Blakeney IP in Biodiversity and Agriculture: Regulating the Biosphere, Sweet and Maxwell, London, 2001.

Peter Drahos and Ruth Mayne Global Intellectual Property Rights: Knowledge Access and Development, Palgrave Macmillan, Hampshire and New York, 2002.

Death of Patents, Lawtext Publishing and the Queen Mary Intellectual Property Research Institute, London, 2005.

Editor of Special Issue of Journals

Special Issue of Prometheus (vol. 16, 1998), 'Trade and Intellectual Property', 245-410.

Peter Drahos and Imelda Maher, Special Issue of Information Economics and Policy, 'Innovation, Competition, Standards and Intellectual Property: Policy Perspectives from Economics and Law' (2004), 16, 1-158.

Articles

"Law, science and reproductive technology", (1985) 9, Bulletin of the Australian Society of Legal Philosophy, 270-285.

"Regulating Reproductive Technology: The Role of Ethics Committees", (1988) 11 Australian Health Review, 79-97.

"Ethics Committees and Medical Research: The Australian Experience" (1989) 8 Medicine and Law, 1-9.

Peter Drahos and S. Parker "Critical Contract Law in Australia" (1990) 3 Journal of Contract Law, 30-49.

S. Parker and **Peter Drahos** "Closer to a Critical Theory of Family Law" (1990) 4 Australian Journal of Family Law, 159-175.

Peter Drahos and S. Parker "The Indeterminacy Paradox in Law" (1991) 21 University of Western Australia Law Review, 305-319.

Peter Drahos and S. Parker) "Rule Following, Rule Scepticism and Indeterminacy in Law: A Conventional Account (1992) 5 Ratio Juris, 109-119.

"Intellectual Property Law & Basic Science: Extinguishing Prometheus?" (1992) 10 Law in Context, 56-79.

"The Visual Artist in the Global Information Economy", (1995) 14(3) The Communications Law Bulletin, 1-3.

"Global Property Rights in Information: The Story of TRIPS at the GATT" (1995) 13 Prometheus, 6-19.

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Peter Drahos and R. Joseph, "Telecommunications and investment in the great supranational regulatory game", (1995) 19 Telecommunications Policy, 619-635.

"Community & Creativity: The Role of Copyright" (1995) 13(1) Copyright Reporter, 4-7.

"The Transmission Right: A Tax on Libraries and Australian Business?" (1996) 34 (11) Law Society Journal, 48-49.

"Global Law Reform and Rent-Seeking: The Case of Intellectual Property" (1996) 7 Australian Journal of Corporate Law, 1-17.

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“Indigenous Knowledge and the Duties of Intellectual Property Owners” (1997) 11 Intellectual Property Journal (Canada), 179-201.

Peter Drahos and Tom Faunce, “Trade-Related Aspects Of Intellectual Property Rights (TRIPS) And The Threat To Patients: A Plea For Doctors To Respond Internationally”, (1998) 17 Medicine and Law, 299-310.

“Property Rights In Information: The Trade Paradigm” (1998) 16 Prometheus, 245-248.

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“Biotechnology Patents, Markets and Morality” [1999] European Intellectual Property Law Review 441-449.

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“Indigenous Knowledge, Intellectual Property and Biopiracy: Is a Global Bio-Collecting Society the Answer?”, [2000] (22) European Intellectual Property Review 245-250.

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The above article was the Winner of the Allen Austin Bartholomew prize for the best article published in the Australian and New Zealand Journal of Criminology for 2003-2004.

“Capitalism, efficiency and self-ownership: a comment on Davies and Naffine’s *Are Person’s Property?*”, 28 (2003) Australian Journal of Legal Philosophy, 215-220.

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R. Joseph and **Peter Drahos** "Contested Arenas in International Telecommunications: Towards An Integrated Political Perspective", in S. Macdonald and G. Madden (eds.) Telecommunications and Socio-Economic Development, Elsevier, Amsterdam, 1998, 99-118.

"Designing Institutions in the Information Society", S. Macdonald and J. Nightingale (eds.) Information and Organisation: A Tribute to the Work of Don Lamberton, Elsevier, Amsterdam, 1999, 143-154.

John Braithwaite and **Peter Drahos**, "Globalisation Of Corporate Regulation And Corporate Citizenship" in Julian Blanchard, Suzzane Corcran, David Scott Mathieson and Christopher Symes (eds.), Proceedings of the 1998 Corporate Law Teachers National Conference, School of Law, Flinders University of South Australia, Adelaide, Australia, 201-235.

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“Negotiating Intellectual Property Rights: Between Coercion and Dialogue” in Drahos and Mayne, eds Global Intellectual Property Rights: Knowledge Access and Development, Palgrave Macmillan, Hampshire and New York, 2002, 161-182.

“Access to Medicines: After Doha” in R. Grynberg and E. Turner (eds), Multilateral and Regional Trade Issues For Developing Countries, Commonwealth Secretariat, London, 2003, 37-47.

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Peter Drahos and John Braithwaite “Hegemony Based on Knowledge: The Role of Intellectual Property” in Jianfu Chen and Gordon Walker (eds), Balancing Act: Law, Policy and Politics in Globalisation and Global Trade, Federation Press, Annandale, Australia, 2003, 204-223.

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‘The Regulation of Public Goods’ in Keith E. Maskus and Jerome H. Reichman, International Public Goods and Transfer of Technology Under a Globalized Intellectual Property Regime, Cambridge University Press, Cambridge, 2005, 46-64.)

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‘Intellectual Property Rights in the Knowledge Economy’ in David. Rooney, Greg Hearn and Abraham. Ninan (eds), Handbook on the Knowledge Economy, Edward Elgar, Cheltenham, UK, 2005, 139-151.

‘Cities of Planning and Cities of Non-Planning: A Geography of Intellectual Property’ in Lipika Bansal, Paul Keller and Geert Lovnik (eds.), In the Shade of the Commons, Waag Society Amsterdam, The Netherlands, 2006, 61-63.

‘Doing Deals with Al Capone: Paying Protection Money for Intellectual Property in the Global Knowledge Economy’, in Peter K. Yu (ed) Intellectual Property and Information Wealth, Vol. 4, Praeger Publishers, Westport, Connecticut, 2007, 141-157.

‘Making and Keeping Negotiating Gains: Lessons for the Weak from the Negotiations over Intellectual Property Rights and Access to Medicines’ in Larry Crump and S. Javed Maswood (eds) Developing Countries and Global Trade Negotiations, Routledge, Oxon and NY, 2007, 97-121.

‘A Networked Responsive Regulatory Approach to Protecting Traditional Knowledge’ in Daniel Gervais (ed), Intellectual Property, Trade and Development: Strategies to Optimize Economic Development in a TRIPS Plus Era (Oxford University Press, Oxford, 2007, 385-415).

‘Propriedade Intelectual e Mercados Farmacêuticos: Uma Abordagem de Governança Nodal’ in Edson Beas Rodrigues Jr. and Fabrício Polido (organizadores), Propriedade Intelectual, Rio de Janeiro, Elsevier, 2007, 508-532.

Peter Drahos and Geoff Tansey, ‘Postcards from International Negotiations’ in Geoff Tansey and Tasmin Rojette (eds), The Future Control of Food: a guide to international negotiations and rules on intellectual property, biodiversity and food security, Earthscan, London, 2008, 197-211.

‘Access to Medicine’ in Peter Cane (ed.) New Oxford Companion to Law, Oxford University Press, forthcoming 2008.

‘IP World – Made by TNC Inc.’ in Gaelle Krikorian and Amy Kapczynski (eds) From Intellectual Property Rights to Access to Knowledge, Zone Books (forthcoming 2008).

Introduction to Chinese translation of A Philosophy of Intellectual Property (Zhou Lin (tr)), Commercial Press, Beijing, 2008, 1-7.

Book reviews

L. Ray Patterson and Stanley W. Lindberg, *The Nature of Copyright: A Law of Users' Rights*, in (1993) 10 Prometheus, 126-128.

Meheroo Jussawalla, *The Economics of Intellectual Property in a World without Frontiers*, in (1994) 12 Prometheus, 273-275.

Susan K. Sell, Power and Ideas: North - South Politics Of Intellectual Property And Antitrust, State University Press of New York, New York, in (1998) 33 Australian Journal of Political Science, 489.

Thomas A. Mandeville, *Understanding Novelty: Information, Technological Change and the Patent System*, Ablex Publishing Corporation, Norwood, New Jersey, 1996, in (1999) 17 Prometheus 87-89.

Ove Granstrand, *The Economics and Management of Intellectual Property: Towards Intellectual Capitalism*, Edward Elgar, Cheltenham, UK, Northampton, MA, USA, 1999, in 13 (2001) Journal of Information Economics 107-111.

Newspaper and other publications

'Copyright and the Electronic Image – Issues for Users' available on the New Technologies Working Party CD-ROM, *The Digital Environment-Information about Australia's Culture and New Technologies*, Department of Communications, Information Technology and the Arts, September 1999, ISBN o 642 750548.

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'The Nairobi Statement', produced at the end of the 'International Conference on Trade Related Aspects of Intellectual Property Rights and the Convention on Biological Diversity', organised by the United Nations Environment Programme and the African Centre for Technology Studies, Nairobi, Kenya, February 6-7.

(with John Braithwaite), 'The Smoking Gun Behind Intellectual Property', *Consuming Interest*, 78, 1999, 16-17.

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Reports

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Consultant Advisor to the Industry Commission on the Book Printing Report (August 1996).

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A joint author of a report to the Trade Directorate of the European Commission entitled 'Study on the Relationship Between the Agreement on TRIPS and Biodiversity Related Issues', Final Report for DG Trade European Commission, September 2000, 143pp, available at http://trade.ec.europa.eu/doclib/docs/2003/september/tradoc_111143.pdf.

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Editorial Positions

On the Editorial Board of Prometheus

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