kn·own·able

Ownership of Knowledge: Beyond Intellectual Property, MIT Press, 2023.

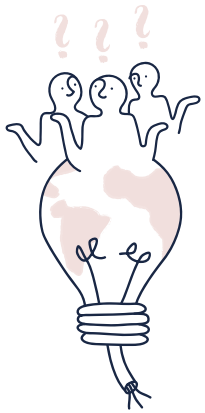
Chapter 2
by Cynthia Brokaw

the history of KNOWLEDGE OWNERSHIP IN CHINA differed from WESTERN INTELLECTUAL PROPERTY

WESTERN / EUROPEAN



THE CONCEPT OF **INTELLECTUAL PROPERTY** AS KNOWLEDGE OWNERSHIP IS *hindering innovation* AND DOES NOT FIT MOST PARTS OF THE WORLD



OVEREMPHASIS

WESTERN ACADEMIA INTERPRETED

the absence of intellectual property law

IN CHINA AS »**LACK**«



THIS MAKES PEOPLE BLIND TO *other knowledge ownership regimes*

WHICH SHOULD BE CHALLENGED I.E. BY EXAMINING *knowledge creation, possession and dissemination* IN DIFFERENT TEMPORALITIES, GEOGRAPHIES AND CULTURES



IMPERIAL CHINA c11–19th

OFFERS AN OPPORTUNITY TO EXAMINE DISTINCTIVE **INDIGENOUS CONCEPTS** OF KNOWLEDGE PRODUCTION & KNOWLEDGE CONTROL

I.E. IN THE SOUTHERN SONG DYNASTY, 1127-1279:

The knowledge of the sages (13 Confucian classics) could NOT be owned by any individual or group

Eternal truths ...

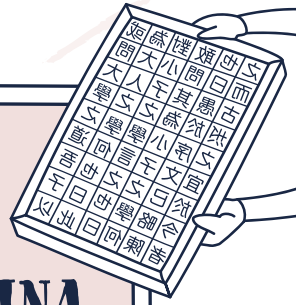
... of the cosmos

... and humankind



... exist for all

BUT: **INDIVIDUALS DID CLAIM OWNERSHIP** OF THEIR WRITINGS OR TECHNOLOGIES



WOODBLOCKS *from which texts were printed*

≥ MAJOR DIFFERENCE ≤

Intellectual Property WAS **TANGIBLE PROPERTY**

IN THE **WEST**, *Intellectual Property* WAS **INTANGIBLE**



HISTORICAL SHIFTS

C19TH *Imperial China*



ADAPTATION TO INTELLECTUAL PROPERTY UNDER PRESSURE FROM WESTERN NATIONS: INCLUDING **PROVISIONAL COPYRIGHT ACTS** AND A FOCUS ON **PATENTS**

C20TH *People's Republic of China* (CA. 1966–CA. 1976)



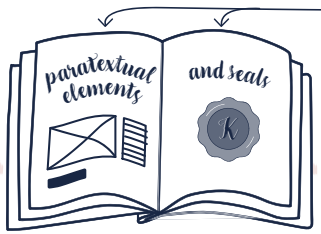
REPUDIATION OF INTELLECTUAL PROPERTY: EFFORTS WERE MADE TO EMPHASIZE THE **COLLECTIVE OWNERSHIP** OF KNOWLEDGE



INTELLECTUAL PROPERTY REGULATION:

OPTION 1: COMPLAIN TO THE STATE OFFICIALDOM
OPTION 2: RELY ON LOCALIZED NETWORKS AND UNWRITTEN RULES WITHIN LOCALIZED COMMERCIAL PUBLISHING COMMUNITIES

Ownership claims were thus made through:



BUT **PIRACY PREVENTION** WAS COMPLEX, CHALLENGING, AND LIMITED.

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