

Contributors

Mark Perry is Associate Dean Research, Graduate Studies and Operations at The University of Western Ontario. He is internationally renowned for his research into the interface between law and new technologies, in particular in intellectual property and software licensing. He has published in this field in Australia, Canada, Germany, Japan, New Zealand, the UK, and the US. He has addressed audiences in these and other countries, usually as an invited speaker. Recent publications, not listed below, include a new chapter on Technology Law for the reference work Butterworths' looseleaf *Electronic Business Law*. He is a Barrister and Solicitor of the Law Society of Upper Canada, a Faculty Fellow at IBM's Center for Advanced Studies, a correspondent for the *Computer Law & Security Report*, and a member of the International Association for the Advancement of Teaching and Research in Intellectual Property, the Institute of Electrical and Electronics Engineers, the Intellectual Property Institute of Canada, and the Association of Computer Machinery (ACM) and a committee member of the ACM Special Interest Group of Computers in Society. He is a reviewer for multiple granting societies and associations.

By focusing on the nexus of law and science, and the area of autonomic computing system development, combined with his experience developing software, Professor Perry has a unique perspective on researching and teaching in the FLOSS license area. He is also researching the legal ramifications of technological developments in biotechnology innovation.

Brian Fitzgerald is an internationally recognized scholar specializing in Intellectual Property and Cyberlaw. He holds post-graduate degrees in law from Oxford University and Harvard University and his recent publica-

tions include *Cyberlaw: Cases and Materials on the Internet*, *Digital Intellectual Property and E-commerce* (2002); *Jurisdiction and the Internet* (2004); *Intellectual Property in Principle* (2004), and *Internet and E-commerce Law* (2007). Over the past ten years, Brian has delivered seminars on Information Technology, Internet, and Intellectual Property Law in Australia, Canada, China, Brazil, New Zealand, US, Nepal, India, Japan, Malaysia, Singapore, Norway, Croatia, France, Thailand, Slovakia, and the Netherlands. Brian is a Chief Investigator and Program Leader for Law in the Australian Research Council Centre of Excellence on Creative Industries and Innovation and is Project Leader for the Australian government-funded Open Access to Knowledge Law Project (OAK Law) (see: www.oaklaw.qut.edu.au) and Legal Framework for e-Research Project. He is also a Program Leader for the Cooperative Research Centre for Spatial Information. His current projects include work on intellectual property issues across the areas of copyright, digital content and the Internet, copyright and the creative industries in China, open content licensing and the Creative Commons, Free/Libre Open Source Software, research use of patents, patent transparency, science commons, e-research, licensing of digital entertainment, and anti-circumvention law. From 1998–2002 Brian was Head of the School of Law and Justice at Southern Cross University in New South Wales, Australia, and from January 2002 – January 2007 he was Head of the School of Law at QUT in Brisbane. He is currently a specialist Research Professor in Intellectual Property and Innovation at QUT. He is also a Barrister of the High Court of Australia. See further information here www.law.qut.edu.au/staff/lstaff/fitzgerald.jsp and here www.ip.qut.edu.au.

Benedict Atkinson is the author of *The True History of Copyright: The Australian Experience 1905–2005* (Sydney University Press, 2007), which tests the incentive theory of intellectual property regulation by examining the origins and development of copyright law. He has practised as a lawyer and worked in government contracting and legislative policy. He helped to implement the Commonwealth’s digital agenda reform program and his recommendations led to reform of the New South Wales Government’s administration of copyright policy. He is co-author with Professor Brian Fitzgerald of two articles interpreting copyright law. One is reproduced in this volume and discusses limits on the copyright owner’s control of copyright use: “Third Party Copyright and Public Information Infrastructure/ Registries: How Much Copyright Tax Must the Public Pay?” Ben is a Research Fellow, Faculty of Law, QUT, and Australian Research Council Centre

of Excellence for Creative Innovation. He graduated B.A. (Hons.) LL.M. (Hons. 1) from Sydney University.

Anthony Austin is a research officer for the OAK Law Project and the Legal Framework for e-Research Project at the Queensland University of Technology, Brisbane, Australia. Anthony worked as a solicitor for ten years in private practice before joining the OAK Law Project, primarily in intellectual property and commercial law. Anthony completed his Masters of Law degree at Queensland University of Technology in 2007 and has worked and advised on numerous OAK Law and Legal Framework for e-Research publications including *The Queensland University of Technology and ARC Centre of Excellence for Creative Industries and Innovation Guide: CCI Blog, Podcast, Vodcast and Wiki Legal Guide for Australia 2008*.

Marcus Bornfreund B.A., LL.B., LL.M. (Law & Technology), of the Bar of Ontario, is the founding project lead for Creative Commons Canada and a member of the Law Society of Upper Canada. A steadfast supporter of strong civil liberties, Marcus is committed to using computer technology and royalty-free copyright licensing to facilitate access to legal information and services. You can download the LawShare (ILE) Browser at <http://lawshare.ca/resources.htm>.

Emma Carroll is a research assistant with the Creative Commons Clinic, a project of the Australian Research Council Centre of Excellence of Creative Industries and Innovation, based at QUT in Brisbane, Australia. Prior to completing a Bachelor of Laws at QUT in 2008, Emma earned a Bachelor of Music with First Class Honours in Music Technology at the Queensland Conservatorium. She is a freelance audio engineer, musician, university lecturer, and project officer for the Queensland Conservatorium's Music Technology Work Integrated Learning program. Emma has also worked in theatre, radio, festival production, music retail, and commercial law and has travelled and lived abroad extensively. In 2009 Emma will work as a trainee solicitor for Blake Dawson and hopes to specialize in Intellectual Property law.

Jessica Coates is the Project Manager of Creative Commons Australia and the Creative Commons Clinic, a program of the Australian Research Council Centre of Excellence for Creative Innovation at QUT. The clinic aims to further the implementation of the international open content licensing movement, Creative Commons, through the promotion of Creative Commons research and usage in Australia.

Jessica's main areas of research are copyright, open content licensing, and Internet law. She presents regularly at national and international conferences and workshops, runs an undergraduate research unit, and is a principle author of a number of books and reports, including *Open Content Licensing: Cultivating the Creative Commons* (<http://creativecommons.org.au/ocl>), *Unlocking the Potential Through Creative Commons* (<http://creativecommons.org.au/unlockingthepotential>), and *Legal Aspects of Web 2.0* (www.ip.qut.edu.au/files/Queensland%20Government%20Report%20-%20reformat.pdf).

In her role as Project Manager of the Creative Commons Clinic, Jessica also regularly participates in industry and community-based events, with the clinic being a major partner in projects such as Open Channel Screen Resource Centre's "Video Slam" (<http://blog.apc.org.au/category/projects/video-slam>), Melbourne Fringe Festival's "Digital Fringe" (<http://digital-fringe.com.au>), and the Australia Council funded "Remix My Lit" (<http://www.remixmylit.com>).

Prior to working for the clinic, Jessica spent most of the last decade as a copyright and communications policy officer with the Commonwealth Department of Communications, Information Technology and the Arts (DCITA), where she worked on major legislative reforms such as the Digital Agenda Review and the Australia-US Free Trade Agreement. She has a Bachelor of Laws and a Bachelor of Arts (English Hons.) from the Australian National University.

Erin Driscoll has significant expertise in copyright law and policy, and has previously worked for the Attorney-General's Department, the National Museum of Australia, and the Australia Film Commission. She was also a member of the secretariat supporting the Copyright Law Review Committee in its inquiry into the relationship between copyright and contract in 2002.

Since 2003 Erin has also chaired the Copyright in Cultural Institutions Group (CICI), which is a working group of copyright and intellectual property managers across Australia, with membership including the Australian Digital Alliance, Australian Film Commission, National Museum of Australia, National Archives of Australia, and National Gallery of Australia.

Anne Fitzgerald is Professor of Law at QUT and a recognized expert in the field of Intellectual Property Law, which is demonstrated through her outstanding contributions to research, publication, training, teaching, and professional practice. Anne has specialized for the past fifteen years in Intellectual Property Law, in particular its application to information technology. During this time she has gained extensive practical experience

in intellectual property and technology contracting and recent hands-on experience negotiating, drafting, and advising on information technology and biotechnology contracts for the Queensland Government.

Anne has conducted extensive research in these fields, resulting in the publication of several books, articles, and chapters on Intellectual Property Law (particularly as it applies to digital technologies), and e-commerce law. Since 1991, she has taught courses in the areas of Intellectual Property and e-Commerce Law to students in Law, Biotechnology, Information Technology, Multimedia, and e-Commerce courses, as well as to IT professionals, writers, and designers. Each year since 2003 she has taught the Intellectual Property Law course offered by Macquarie University's School of Law as a summer intensive and, since 2004, she has been the co-coordinator (with John Stonier) of the Patents and Commercialization course in the Master of Laws program at QUT Law School. Anne teaches in the undergraduate Internet Law and e-Commerce Law and Technology Contracts courses offered at QUT Law School and has taught in the Cyberlaw course in Southern Cross University's summer law school program since 1998.

Anne was an initiator of the *Going Digital* series of seminars on legal aspects of e-commerce, multimedia, and the Internet that were held in Brisbane, Melbourne, and Hobart in 1997 and 1998 in association with QANTM Australia Co-operative Multimedia Centre. The project culminated in the publication of *Going Digital: Legal Issues for Electronic Commerce, Multimedia and the Internet* (Prospect Media, now LexisNexis/Butterworths) in August 1998. A second, completely revised edition of the book, *Going Digital 2000: Legal Issues for e-Commerce, Software and the Internet* was published in February 2000.

Susy Frankel is a Professor of Law at Victoria University of Wellington, New Zealand. She is the author of many articles in the field of intellectual property and co-author of *Intellectual Property in New Zealand* (Butterworths, LexisNexis, 2002). She is a member of the Editorial Board of the *Journal of World Intellectual Property Law*, Co-Director of the New Zealand Centre of International Economic Law, a mediator and arbitrator for the World Intellectual Property Organization, a Hearings Officer for the Intellectual Property Office of New Zealand, and Chair of the New Zealand Copyright Tribunal.

Maree Heffernan works for the Queensland Government and was formerly a research officer with the Legal Framework for e-Research Project and a senior research officer with the Centre for Social Change Research at Queensland University of Technology. Graduating from the University of

Queensland with a first class honours in psychology in the late 1990s, she is currently completing a Ph.D. in the School of Humanities & Human Services at QUT. The focus of her research is the human element in the uptake of new technologies, and she has broader interests in the areas of social justice and marginalization. In the Legal Framework for e-Research project, Maree has worked with the project team to develop an online survey regarding legal and project agreement issues in collaboration and e-Research and has been responsible for the statistical analyses of survey data. Maree is also working with the OAK Law team on another online survey of Australian authors regarding publishing agreements. These projects build on a number of projects Maree has initiated, including: digital storytelling as a qualitative research methodology, collaborative research frameworks (including working with Indigenous communities), and the use of geographic information systems in the context of human service provision.

Scott Kiel-Chisholm completed his articles of clerkship with Blake Dawson Waldron Lawyers in 2001, after working in the insurance, projects, intellectual property, and communications and corporate advisory practice groups. He then travelled to Silicon Valley in California, and upon his return, Scott commenced work in the litigation practice group of McInnes Wilson Lawyers, concentrating on the defence of professional indemnity claims. In 2004, Scott joined the commercial litigation practice group of Home Wilkinson Lowry Lawyers which provided broader litigation experience in project management contracting, retailing, construction, manufacturing, and franchising. In an effort to progress a career in intellectual property law, Scott commenced work with Colavitti Lillas Lawyers before becoming project manager of the OAK Law Project in November 2005. In September 2006 Scott also became the project manager of the Legal Framework for e-Research Project and has been involved in the development of two online surveys and two international conferences and the production of numerous reports and guides. In December 2007, Scott was awarded a Master of Laws specializing in intellectual property law from the University of Queensland.

Matt Norwood is an American lawyer and Free Software advocate. He lives and works in Toronto. He previously served as Legal Counsel at the Software Freedom Law Center in New York City.

Damien O'Brien holds a Bachelor of Laws from QUT, a graduate certificate in International Studies (International Relations) from the University of Queensland, a graduate diploma in Legal Practice from QUT, and a Master of Laws (Intellectual Property and Technology Law) from the Na-

tional University of Singapore. He is admitted as a Solicitor of the Supreme Court of Queensland, Australia, and is currently practising as a foreign lawyer in the Intellectual Property and Technology Law practice of one of the leading law firms in Singapore. Damien has published numerous articles and book chapters on topics such as blogs and the law, search engine liability for copyright infringement, digital music law, and digital copyright law.

Rami M. Olwan (LL.B., LL.M. (Intellectual Property Law), LL.M. (Internet Law)) is an Australian government Ph.D. scholarship candidate at QUT. He graduated from the University of Yarmouk Faculty of Law (Jordan) with an LL.B. in 1997, and obtained an LL.M. from Buckingham University Law School (UK) in 2000. Mr. Olwan obtained a scholarship from the Berkman Center for Internet and Society at Harvard Law School to attend the Internet Law program in Rio de Janeiro, Brazil, in March 2003. He also obtained an LL.M. from Columbia University Law School in 2007 on a scholarship from Open Society Institute.

Prior to joining QUT, Mr. Olwan was working as a legal consultant in e-Commerce Law in Jordan, United Arab Emirates, and the Sultanate of Oman from 2000 to 2005. He specializes in domain names and digital copyright issues. Mr. Olwan interned with the World Intellectual Property Organization in New York in 2007. Mr. Olwan has published articles in various journals, including the *Kuwait Law Journal* and the *United Arab Emirates University Law Journal*. He has been a member of the Jordanian Bar since 2001 and he is fluent in Arabic and English.

Joseph Potvin is a senior economist with the Information Technology Division, Chief Information Officer Branch, Treasury Board of Canada Secretariat. For five years he has coordinated planning towards the creation of Intellectual Resources Canada (Ressources Intellectuelles Canada), a forthcoming inter-departmental and inter-sectoral initiative for any community engaged in the joint creation and evolution of data, information, or knowledge that helps government carry out its mandate and achieve its objectives. He also coordinates the Government of Canada's IT expenditure reporting, for which he initiated the ITERation Project for automated expenditure data assembly, management, statistical analysis, and reporting. Mr. Potvin joined the federal government in 1999, first with the International Development Research Centre where he served as the lead architect and Project Manager of one of the Canadian Government's first Free/Libre Open Source Software (FLOSS) releases, a full-featured grants and contributions management system for the Online Proposal Appraisal (OPA). Eight years

later OPA is still in use in numerous organizations, it continues to run the largest international development research grants initiative of the World Bank, and is on the way to version 3 with the participation of Treasury Board of Canada Secretariat. He is co-founder and an active participant in GOSLING (Getting Open Source Logic INto Governments), a voluntary, informal learning, and knowledge-sharing community of practice, involving civil servants and other citizens who actively assist the engagement of FLOSS methods and software solutions in government operations.

During the decade prior to his involvement with IT systems, he worked internationally as an ecological economist, with assignments for six different divisions of the World Bank including the Global Environment Facility, and he was on the core drafting team for Canada's Green Plan in 1990. Today he volunteers as a leading organizer on community projects in Canada's national capital region to advance agro-residential development, rail, and cycling transportation infrastructure, sport-ecology synthesis, and municipal water pollution reduction. He is also active in formative work on two free/libre/open macroeconomic software projects: "The Earth-Reserve Resources Exchange (TERRE)" system, and the "Resource and Ecosystems Degradation (RED) Tax" system.

Samsung Xiaoxiang Shi is a researcher at the Australian Research Council Centre of Excellence for Creative Industries and Innovation (CCI) and Ph.D. candidate at the Faculty of Law, QUT. His Ph.D. research focuses on copyright law and innovation in the networked information economy in Australia and China. His research interests cover the laws of copyright, media, entertainment, and especially the social and legal implications of the Internet and ICT. Samsung was accepted into the annual Summer Doctoral Programme (SDP) run by the Oxford Internet Institute in partnership with The Berkman Center for Internet and Society at Harvard Law School in 2007. Samsung received a Bachelor in Law (2003) and a Master in Civil and Commercial Law (2006) from the East China University of Political Science and Law (ECUPL). From 2003 to 2006, he was a research assistant to Professor Fuping Gao, Dean of the Intellectual Property School of ECUPL, and co-authored several research reports for the Shanghai government.

Richard Stallman launched the development of the GNU operating system (see www.gnu.org) in 1984. GNU is free software: everyone has the freedom to copy it and redistribute it, as well as to make changes either large or small. The GNU/Linux system, basically the GNU operating system with Linux added, is used on tens of millions of computers today. Stallman has received

the ACM Grace Hopper Award, a MacArthur Foundation fellowship, the Electronic Frontier Foundation's Pioneer award, and the Takeda Award for Social/Economic Betterment, as well as several honorary doctorates.

Phil Surette (B.Sc., M.Sc., LL.B.) has an LL.B. from the University of Ottawa, a Master's in Computer Science from UWO, and a Bachelor's degree in Cognitive Science from the University of Toronto. Phil is interested in improving access to law and legal research through open source software. He is currently working as a software developer in Ottawa and can be reached at philsurette@yahoo.com.

Nic Suzor is an Institute for Creative Industries and Innovation Ph.D. researcher in the Law School at QUT, exploring constitutional principles for the governance of virtual communities. His background is in both Law and Computer Science, holding undergraduate degrees in Law and IT from QUT, and having worked as a computer programmer before moving to legal research. He has published on issues including copyright law, free software licences, parody and other copyright exceptions, new media regulation, and legal issues around the development and participation in computer games. He holds a Masters of Laws (research), and his thesis examined the transformative use of copyright material in Australia. He is involved in several research projects including Creative Commons Australia, research into legal issues of Free and Open source Software, computer games (with particular reference to massive multiplayer online environments), and commons-based peer production.

Nic is also a board member of Electronic Frontiers Australia, and teaches in QUT Law School's undergraduate and post-graduate programs.

Peter P. Swire is the C. William O'Neill Professor of Law at the Moritz College of Law of Ohio State University and a Senior Fellow at the Center for American Progress.

From 1999 to early 2001 he served as the Clinton Administration's Chief Counselor for Privacy in the US Office of Management and Budget. In that position, he coordinated administration policy on the use of personal information in the public and private sectors, and served as point of contact with privacy and data protection officials in other countries. He was White House coordinator for the proposed and final *Health Insurance Portability and Accountability Act* medical privacy rules, and played a leading role on topics including financial privacy, Internet privacy, encryption, public records and privacy, e-commerce policy, and computer security and privacy.

Professor Swire has published extensively, testifies regularly before the Congress, and is quoted frequently in national and international press. He is faculty editor of “The Privacy Year in Review,” published by *IS, A Journal of Law and Policy for the Information Age*, which is distributed to all members of the International Association of Privacy Professionals. He is lead author of *Information Privacy: Official Reference for the Certified Information Privacy Professional*. Many of his writings appear at www.peterswire.net.

Professor Swire graduated summa cum laude from Princeton University and in law school was a Senior Editor of the Yale Law Journal.

Dilan Thampapillai is a Lecturer with the School of Law of Victoria University in Australia. Dilan has an LL.B. from the Australian National University, a Master of Commerce from the University of Sydney, and a Master of Laws from Cornell University. Dilan has also been a visiting student at Harvard University and the National University of Singapore. Dilan is currently undertaking a Ph.D. at the University of Melbourne. Prior to joining Victoria University, Dilan was a lawyer with the Attorney-General’s Department and the Australian Government Solicitor. Dilan specializes in Intellectual Property Law. Dilan researches in the areas of Intellectual Property Law, International Trade Law, and International Law.

Dr. Margaret Ann Wilkinson is Professor in the Faculty of Law at UWO and Director of the Area of Concentration in Intellectual Property, Information, and Technology Law. For fifteen years, she held a joint appointment in the Faculty of Law and the Faculty of Information and Media Studies at UWO and continues to supervise graduate students in both faculties. She has also held visiting positions at Dalhousie University and Newcastle University. She also holds an Adjunct position at the Richard Ivey School of Business at UWO (currently in their Health Sector program). Dr. Wilkinson has written widely on copyright and moral rights, personal data protection and privacy, and other areas of Intellectual Property and Information Law, as well as on management and professional ethics.

