

Book Review

Hope, J. 2008. *Biobazaar: The Open Source Revolution and Biotechnology*, Cambridge, MA: Harvard University Press.

Reviewed by Maria-Jose Iglesias, Research Centre on IT and Law (CRID), University of Namur.

Is there any hope for a paradigm shift in biotechnologies?

“Biobazaar – the open source revolution and biotechnology”, proposes the translation of the open source software model to the biotechnology. It explores whether and how key open source principles of technology development, licensing and commercialisations may be adapted and applied to biotechnology. It dismantles the theoretical assumption of intellectual property rights as being the best tool to induce innovation and pleads for the application of a science-friendly approach to be used in life sciences.

The author, the Australian biologist and lawyer Jane Hope, acknowledges that such translation is not straightforward. The specific characteristics of the biotech sector – from the high investments or funding needs to the bundle of intellectual property rights (and other rights) to be considered, the relationship between innovators and other industry agents or the expertise required to participate in biotech research activities – may require some nuances on the adaptation of the open source principles.

Bazaar mode of production is not new neither strange to biotechnology. Historically it has been adopted by traditional academics or in public funded, non-profit research activities. The main challenge is precisely to give convincing reasons to implement this model to for-profit or commercial initiatives. This is, no doubt, the main obstacle to overcome when drafting the whole proposition of the biobazaar. The author considers the feasibility of the use of open source mode of production in biotechnology commercial activities and gives strategic reasons to sustain it. She illustrates the possibilities and main points to take into account by commercial actors when considering the trade-off between proprietary and non-proprietary solutions. Despite her thorough discourse, one has the impression that concerning this crucial point, her propositions remain still in the surface,

that there is still a long way until we know whether commercial open source ventures in biotechnologies may become a reality. Nevertheless, it is true that there have been some attempts to conciliate private interests and open access. The author reports on the handful of open initiatives in the biotech sector – i.e., the General Public Licence for Plant Germplasm, the (abandoned) HapMap policy, the Biological Materials Transfer Project of Science Commons or the Biological Innovation for Open Society (BIOS) – (unfortunately she does not take too much into account the “access and benefit sharing” initiatives already in place in this sector). Open source biotechnologies are still at an early stage, but, clearly, they represent a hope for the forthcoming years. Key sectors such as agriculture or health, may suffer from the existing full proprietary approaches that not only harm the scientific research but impede the implementation of solutions for “some of humanity’s most pressing problems”. This book is an indispensable tool for those envisaging a paradigm shift, those thinking on workable fair licensing solutions in biotechs.