Editorial

The relationship between intellectual property and development has reached particular significance in the last ten years. At the 2004 General Assembly of the World Intellectual Property Organization (WIPO), the first proposal for the establishment of a development agenda for WIPO was submitted by Argentina and Brazil, leading to WIPO's International Seminar on Intellectual Property and Development establishing the Provisional Committee on Proposals Related to a WIPO Development Agenda (2005) that would eventually establish the Committee on Development and Intellectual Property in 2007. And as this issue goes to press, the United Nations Development Programme (UNDP) is launching its 2015 Development Report, *Work for Human Development*.

It is thus timely that this issue is devoted to the importance of development and intellectual property.

In 'Making the case for a pluralistic approach to intellectual property regulation in developing countries', Miranda Forsyth examines the relationship between intellectual property and socio-economic development, and the pressure on developing and least-developed countries to implement strong protection, despite possible disruption to existing local intellectual property systems. Investigating in detail the Pacific Islands region, Forsyth considers the broader regulatory space, incorporating the cultural and philosophical diversity of local systems and the potential for integration and cooperation between global and local systems.

Luo Li looks at the relationship between traditional cultural expressions and conventional intellectual property in China, the impact on cultural and social development, and the practical aspects of such protection. In 'The saviour of Chinese traditional cultural expressions? Analysis of the Draft Regulations on Copyright Protection of Folk Literary and Artistic Works', the author considers in detail the Regulations, their legislative history, and the implications of the potential application of intellectual property to traditional cultural expressions in China.

The relationship between criminality and intellectual property raises particular cultural and social questions. In 'A historical analysis of the criminal sanctions in the Malaysian copyright regime (1902–1969)', Ainee Adam looks at the application of criminal law to copyright infringement, with a particular focus on Malaysia. Examining the early copyright acts, the author looks at the relationship between copyright, colonialism and development, in the context of the legal transplantation process in Malaysia.

Geographical Indications are of increasing interest in the international arena, intersecting with tradition, place and development. Mohammad Ataul Karim provides an insightful analysis of the significance of cultural heritage to development in 'Indian claims over Geographical Indications of Bangladesh: sustainability under intellectual property regime' and highlights the need to guard against misappropriation of that heritage through Geographical Indications. Karim notes the importance of historical analysis in the application of Geographical Indications and the relationship between cultural identity and unfair competition.

Shun-Liang Hsu examines the importance of research exemptions in plant breeding and their relationship to development and sustainability. In 'A comparative study on research exemptions in plant breeding under intellectual property rights protection', Hsu analyses the differences and difficulties in the overlapping application of patents

and *sui generis* protection, and examines the importance of exemptions in facilitating research, innovation and development.

Our 'In Focus' section in this issue features a special examination of copyright exceptions and contract, from Adrian Aronsson-Storrier, in which the author looks at the 2014 amendments to the UK Copyright, Designs and Patents Act 1988. These amendments are of immense interest and significance to the world of work in the creative industries in the UK, and Storrier's analysis provides a crucial insight into the nature of contract in their wake.

At the launch of the Work for Development Report, UNDP Executive Secretary, Carlos Lopes, said, 'In Africa we like bold, we need ambition, we promote change, and we expect disruption'. We hope this bold issue contributes actively to that creative disruption.

Professor Johanna Gibson
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