

**BEYOND IP – THE COST OF FREE
PARADOXES OF INFORMATIONAL CAPITALISM**

The Shortcomings of Ordering Cultural Production around IP

- **The nexus between IP and market/pricing mechanisms.**
- **The inadequacies of IP mechanisms in taking seriously values such as distributive justice, human rights, or even in promoting efficiency.**

The Beyond IP Discourse

- **Departing from the proprietary model of exclusive rights.**
- **A presumption that by stripping of exclusive property rights we are also moving away from market settings as a governing institution.**

Are Realms Beyond IP always Beyond Market Structures ?

- **Market mechanisms tend to endorse Beyond IP structures.**
- **Tensions and dichotomies of IP regimes may appear, or even be stimulated, also by certain Beyond IP market structures:**
 - **Informational Privacy;**
 - **Content Diversity;**
 - **Media Concentration;**
 - **Authors' Welfare.**

Informational Privacy

- **Beyond IP free markets are in direct tension with the value of informational privacy because they rely upon and extract revenues from trading and commercializing personal information.**
- **There is an impact on content diversity because Beyond IP free markets require communicative engagements/products that are suitable for collecting and trading personal data.**

Content and Cultural Diversity

- **Market settings that are structured around free content incentivize what seems as an extreme version of the traditional “market for eyeballs” and advertisements’ supported content distribution platforms.**
- **Wasteful investment in generating traffic for specific types of contents that are likely to maximize audience attention.**
- **“Free” as a predatory pricing mechanism, leaves little place for competing models of content production and content distribution.**

The Cost of Free

- Free content and “freedom” from proprietary regimes do not necessarily derive true effective freedom for individuals.
- Informational capitalism works well with copyrightless markets, just like it did with copyrighted markets.
- The problem in beyond IP market settings is not problem of free riding and lack of incentives (absent of copyright protection).
- It is rather a problem of positive incentives (absent of copyright protection) to concentrate on discourse, culture and information patterns which may be profit maximizers, but at the same time may undermine the same values that IP undermines.

From Beyond IP to Beyond Informational Capitalism

- **The role of the state and regulatory involvement.**
- **Informational Privacy:**
 - A relevant parameter in copyright policy;**
 - A form of media regulation.**
- **The role of IP in culminating informational capitalism ?**