important for technologies which are environmentally sound, such as innovations in solar power, pollution prevention in automobiles and so on. Most such innovation is likely to take place in Northern countries.

But not all will. It is often noted that countries in the early stages of industrial development fuel their fledgling sectors by having fairly loose laws to protect intellectual property, but that as they become leaders in innovation, they strengthen them.

> "As a young nation, the US wanted the freedom to borrow literature as well as technology from any quarter of the globe. ... Nineteenth century Americans were alien to a present-day under-developed nation which recognizes its dependence on the more commercially and technologically advanced, and desires the fruits of civilisation in the cheapest and most convenient ways."[x]

The fact that the U.S., Japan and Germany once based their development on loose IPRs is much cited by present-day developing countries as a justification for their own loose regimes. But the lesson should also be turned on its head. It also demonstrates that strong intellectual property rights are an essential element in industrial development once a country has reached a certain level of capacity. Domestic innovation on any significant scale is seriously hampered by loose IPR laws, and perpetuating the imitation stage is as harmful as forever coddling infant industries. There are indications that China, for example, has now realized that it needs a strong system of IPRs for its own development purposes, and its current compliance with US demands for stronger IPRs is as much self-interested as it is obliging.

The bottom line is that the strengthening of IPRs embodied in the TRIPS Agreement will have varied effects on innovation in different countries. Those developing countries which have healthy domestic capacity for research and development, and strong management and marketing skills, may benefit from stronger IPR laws, in terms of increased domestic innovation. Those that do not may be hampered by TRIPS in their ability to develop such capacity through the necessary imitation stage of development.

4.5 Copyright Materials

Materials such as works of art or literature, or intellectual creations such as computer software or complete databases, are covered under copyright law. The TRIPS Agreement requires Members to comply with the conditions of the 1971 Berne Agreement, the international standard for copyright protection. For most such works, the specified period of protection is 50 years.

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x Bonner, James. Authors, Publishers and Politicians quoted in Vaver, Rosemary. "IPRs and the Information Sector" in Moran, Antonio G. (ed.) op. cit. p. 14.