

Intellectual Property Implications in the Context of Space Exploration with a Special Focus on ESA Rules and Regulations

Authors : Linda Ana Maria Ungureanu

Abstract : This article details the manner in which European law establishes the protection and ownership rights over works created in off-world environments or in relation to space exploration. In this sense, the analysis is focused on identifying the legal treatment applicable to creative works based on the provisions regulated under the International Space Treaties, on one side, and the International IP Treaties and subsequent EU legislation, on the other side, with a special interest on ESA Rules and Regulations. Furthermore, the article analyses the manner in which ESA regulates the ownership regime applicable for creative works, taking into account the relationship existing between the inventor/creator and ESA and the environment in which the creative work was developed. Moreover, the article sets a series of de lege ferenda proposals for the regulation of intellectual property matters in the context of space exploration, the main purpose being to identify legal measures and steps that need to be taken in order to ensure that creative activities are fostered and understood as a significant catalyst for encouraging space exploration.

Keywords : intellectual property law, ESA guidelines, international IP treaties, EU legislation

Conference Title : ICSL 2022 : International Conference on Space Law

Conference Location : New York, United States

Conference Dates : August 08-09, 2022