

Legal and Contractual Framework for Private Experiments in Space

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Abstract : As space exploration opens to new actors, we are faced with the interesting question of regulating more complex structures that enable private experiments. From intellectual property implications to private and public law, there is a multitude of factors and legal structures that need to be taken into consideration when opening space, and these structures need to be harmonized with the International Space Treaties governing space exploration. In this sense, this article presents an overview of the legal and contractual framework applicable to private experiments conducted in space and/or in relation to off-world environments. Additionally, the article analyses the manner in which national space agencies regulate agreements concluded with private actors and research institutions. Finally, the article sets a series of de lege ferenda proposals for the regulation of general research and development rules and intellectual property matters that are connected to experiments and research conducted in space and/or concerning off-world environments.

Keywords : private space, intellectual property, contracts, ESA guidelines, EU legislation, Intellectual property law, international IP treaties

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