

FUTURE INTERNET
EUROPEAN SUMMIT

2014»»



5th European Summit on the Future Internet



dreamstime.com

5th European Summit on the Future Internet

Session 4: Internet Governance, Innovation, IPR

Université du Luxembourg - 13/06/2014

Federico **SMITH**

Global Summary

1. Issues on Intellectual Property

Software - Contents – Patents

2. Governance: for Whom ?

3. The « European dream »

Sub-Summary

1. Issues on Intellectual Property

Software - Contents – Patents

a) Fast overview

b) Risks

c) Questions and thoughts

Sub-Summary

2. Governance: for Whom ?

- a) Fast overview of the news
- b) Alternatives ?
- c) Challenges and questions

Sub-Summary

3. The « European dream »

- a) Questions and challenges
- b) Thoughts

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1. Issues on Intellectual Property Software - Contents - Patents



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1. Issues on Intellectual Property

Software - Contents - Patents

a) Fast overview

b) Risks

c) Questions and thoughts

1. Issues on Intellectual property: **Software**

a) Fast overview: Top 100 Companies Editors in the world

- **Almost from US: 67% - Top 50 US: 76%**
- **Europe: 20%** - 4th (DE), 5th (SE), 18th (DE), 25th (UK), 29th (NL), 34th (SE), 43th (DE), 45th (DE).
- **France: 19th- (Dassault Systèmes)**
- **Global revenue in 2012: 255 \$ billion (US dollars)**

1. Issues on Intellectual property: Software

Top 100 Editors in the world

Rank	Company	Country HQ	2012 software revenue (US\$M)	2012 total revenue (US\$M)	Software revenue as % of total	SaaS revenue (US\$M)	SaaS revenue as % of software
1	Microsoft	United States	\$58,432.71	\$72,930.00	80.1%	\$1,463.00	2.5%
2	IBM	United States	\$28,846.32	\$104,507.00	27.6%	\$742.50	2.6%
3	Oracle	United States	\$27,710.27	\$37,341.00	74.2%	\$972.00	3.5%
4	SAP	Germany	\$16,616.79	\$21,282.00	78.1%	\$1,117.00	6.7%
5	Ericsson*	Sweden	\$8,048.60	\$34,993.93	23.0%	\$0.00	0.0%
6	Symantec	United States	\$6,417.74	\$6,839.00	93.8%	\$595.00	9.3%
7	HP	United States	\$5,512.50	\$119,239.00	4.6%	\$94.00	1.7%
8	EMC (excluding VMware)	United States	\$5,128.82	\$17,118.00	30.0%	\$80.00	1.6%
9	Adobe	United States	\$4,334.77	\$4,405.00	98.4%	\$661.00	15.2%
10	CA Technologies	United States	\$4,304.41	\$4,680.00	92.0%	\$80.00	1.9%
11	VMware (a subsidiary of EMC)	United States	\$4,239.82	\$4,605.00	92.1%	\$30.00	0.7%
12	Fujitsu	Japan	\$3,130.97	\$55,366.00	5.7%	\$438.00	14.0%
13	Salesforce.com	United States	\$2,805.61	\$2,982.70	94.1%	\$2,766.00	98.6%
14	SAS	United States	\$2,662.30	\$2,870.00	92.8%	\$123.41	4.6%
15	Hitachi	Japan	\$2,528.23	\$116,580.00	2.2%	\$119.69	4.7%
16	Intuit	United States	\$2,464.75	\$4,170.00	59.1%	\$1,213.00	49.2%
17	Infor	United States	\$2,464.40	\$2,659.03	92.7%	\$27.00	1.1%
18	Siemens	Germany	\$2,441.15	\$100,610.05	2.4%	\$150.00	6.1%
19	Dassault Systèmes	France	\$2,368.98	\$2,608.94	90.9%	\$150.00	6.3%
20	Autodesk	United States	\$2,263.01	\$2,307.37	98.1%	\$88.00	3.9%
21	Citrix	United States	\$2,088.55	\$2,586.12	80.8%	\$511.00	24.5%
22	Cisco	United States	\$1,997.79	\$47,061.67	4.2%	\$800.00	40.0%
23	BMC	United States	\$1,972.72	\$2,198.00	89.8%	\$23.30	1.2%
24	NEC	Japan	\$1,942.16	\$38,484.11	5.0%	\$77.31	4.0%
25	Sage	United Kingdom	\$1,751.81	\$2,151.05	81.4%	\$40.00	2.3%

Rank	Company	Country HQ	2012 software revenue (US\$M)	2012 total revenue (US\$M)	Software revenue as % of total	SaaS revenue (US\$M)	SaaS revenue as % of software
26	Intel	United States	\$1,674.53	\$53,341.00	3.1%	\$106.40	6.4%
27	Synopsys	United States	\$1,646.45	\$1,789.12	92.0%	\$20.00	1.2%
28	Apple	United States	\$1,600.75	\$164,687.00	1.0%	\$2.00	0.1%
29	Wolters Kluwer	Netherlands	\$1,435.25	\$4,629.84	31.0%	\$25.36	1.8%
30	SunGard	United States	\$1,393.39	\$4,263.00	32.7%	\$50.00	3.6%
31	McKesson	United States	\$1,332.06	\$3,348.00	39.8%	\$75.00	5.6%
32	ADP	United States	\$1,257.51	\$10,945.00	11.5%	\$1,194.63	95.0%
33	NetApp	United States	\$1,250.90	\$6,296.87	19.9%	\$0.00	0.0%
34	Hexagon	Sweden	\$1,205.62	\$3,059.44	39.4%	\$0.00	0.0%
35	Cadence Design Systems	United States	\$1,174.55	\$1,326.42	88.5%	\$12.00	1.0%
36	Attachmate Group	United States	\$1,174.43	\$1,260.03	93.2%	\$0.00	0.0%
37	Trend Micro	Japan	\$1,170.62	\$1,175.71	99.6%	\$132.78	11.3%
38	ESRI	United States	\$1,168.33	\$1,476.41	79.1%	\$137.00	11.7%
39	Teradata	United States	\$1,153.78	\$2,665.00	43.3%	\$50.00	4.3%
40	Red Hat	United States	\$1,115.54	\$1,294.94	86.1%	\$0.00	0.0%
41	Nuance Communications Inc.	United States	\$1,018.47	\$1,753.13	58.1%	\$10.00	1.0%
42	PTC	United States	\$960.17	\$1,256.00	76.4%	\$0.00	0.0%
43	DATEV	Germany	\$957.02	\$998.55	95.8%	\$441.40	46.1%
44	OpenText	Canada	\$943.65	\$1,276.40	73.9%	\$30.00	3.2%
45	Software AG	Germany	\$915.26	\$1,333.46	68.6%	\$0.00	0.0%
46	Avaya Inc.	United States	\$894.23	\$5,024.00	17.8%	\$10.00	1.1%
47	Mentor Graphics	United States	\$877.13	\$1,085.10	80.8%	\$0.00	0.0%
48	Cerner	United States	\$854.12	\$2,665.44	32.0%	\$230.00	26.9%
49	TIBCO	United States	\$780.36	\$1,032.00	75.6%	\$33.00	4.2%
50	Compuware	United States	\$776.01	\$969.11	80.1%	\$241.00	31.1%

1. Issues on Intellectual property: Software

Top 100 Editors in the world

Rank	Company	Country HQ	2012 software revenue (US\$M)	2012 total revenue (US\$M)	Software revenue as % of total	SaaS revenue (US\$M)	SaaS revenue as % of software
51	ANSYS	United States	\$756.26	\$798.02	94.8%	\$0.00	0.0%
52	Google	United States	\$755.18	\$50,175.00	1.5%	\$684.00	90.6%
53	Informatica	United States	\$688.31	\$812.00	84.8%	\$19.00	2.8%
54	Kaspersky Lab	Russia	\$627.80	\$750.00	83.7%	\$43.18	6.9%
55	Kronos Inc.	United States	\$596.10	\$923.30	64.6%	\$1.85	0.3%
56	Constellation Software Inc.	Canada	\$582.70	\$891.23	65.4%	\$30.00	5.1%
57	TOTVS	Brazil	\$579.68	\$722.96	80.2%	\$20.00	3.5%
58	Fidelity National	United States	\$578.10	\$5,807.60	10.0%	\$20.00	3.5%
59	NCR	United States	\$575.25	\$5,730.00	10.0%	\$116.78	20.3%
60	Wincor Nixdorf	Germany	\$568.16	\$3,088.49	18.4%	\$0.00	0.0%
61	FICO (formerly Fair Isaac)	United States	\$567.48	\$716.09	79.2%	\$204.80	36.1%
62	MICROS Systems	United States	\$565.11	\$1,204.94	46.9%	\$10.00	1.8%
63	Misys	United Kingdom	\$561.63	\$682.49	82.3%	\$100.00	17.8%
64	Dell	United States	\$561.62	\$57,512.33	1.0%	\$100.00	17.8%
65	Fiserv	United States	\$560.47	\$4,482.00	12.5%	\$60.00	10.7%
66	SWIFT	Belgium	\$542.36	\$767.11	70.7%	\$0.00	0.0%
67	Medical Information Technology (MEDITECH)	United States	\$534.55	\$597.83	89.4%	\$0.00	0.0%
68	Verint Systems	United States	\$527.82	\$828.60	63.7%	\$60.59	11.5%
69	NICE Systems	Israel	\$501.04	\$879.01	57.0%	\$38.00	7.6%
70	Bentley Systems	United States	\$494.71	\$550.00	89.9%	\$70.00	14.1%
71	Neusoft	China	\$473.57	\$1,101.32	43.0%	\$23.70	5.0%
72	JDA Software	United States	\$469.94	\$689.13	68.2%	\$20.00	4.3%
73	Acision	United Kingdom	\$465.95	\$698.93	66.7%	\$14.80	3.2%
74	Amazon.com	United States	\$460.94	\$61,093.00	0.8%	\$461.00	100.0%
75	Genesys Telecommunications Laboratories	United States	\$459.99	\$620.00	74.2%	\$13.27	2.9%

Rank	Company	Country HQ	2012 software revenue (US\$M)	2012 total revenue (US\$M)	Software revenue as % of total	SaaS revenue (US\$M)	SaaS revenue as % of software
76	Visma	Norway	\$448.69	\$987.12	45.5%	\$18.00	4.0%
77	Concur Technologies	United States	\$448.37	\$462.24	97.0%	\$448.37	100.0%
78	GXS	United States	\$439.51	\$487.52	90.2%	\$368.00	83.7%
79	Northgate Information Solutions	United Kingdom	\$435.93	\$1,556.00	28.0%	\$155.60	35.7%
80	CommVault	United States	\$433.98	\$471.59	92.0%	\$165.95	38.2%
81	Pliney Bowes Software	United States	\$424.50	\$4,904.02	8.7%	\$46.80	11.0%
82	Blackboard	United States	\$423.26	\$530.00	79.9%	\$407.17	96.2%
83	MicroStrategy	United States	\$412.51	\$594.61	69.4%	\$16.10	3.9%
84	Unit4	Netherlands	\$412.10	\$603.69	68.3%	\$73.85	17.9%
85	athenahealth	United States	\$408.50	\$422.27	96.7%	\$270.00	66.1%
86	Micro Focus	United Kingdom	\$407.44	\$421.77	96.6%	\$11.00	2.7%
87	Allscripts	United States	\$404.43	\$1,446.33	28.0%	\$95.00	23.5%
88	InterSystems Corp.	United States	\$402.98	\$457.37	88.1%	\$0.00	0.0%
89	Unisys	United States	\$401.06	\$3,706.40	10.8%	\$180.69	45.1%
90	CompuGroup Medical	Germany	\$394.71	\$579.53	68.1%	\$51.33	13.0%
91	Progress Software	United States	\$388.05	\$426.00	91.1%	\$0.00	0.0%
92	Sophos	United Kingdom	\$384.78	\$410.00	93.8%	\$0.00	0.0%
93	Invensys*	United Kingdom	\$381.45	\$2,773.50	13.8%	\$10.00	2.6%
94	Qualcomm	United States	\$375.60	\$20,458.00	1.8%	\$11.27	3.0%
95	Aspect Software	United States	\$375.35	\$442.71	84.8%	\$5.00	1.3%
96	OlikTech	United States	\$359.19	\$388.50	92.5%	\$0.00	0.0%
97	ACI Worldwide	United States	\$358.34	\$666.58	53.8%	\$18.60	5.2%
98	Amdocs	Israel	\$356.58	\$3,266.25	10.9%	\$0.00	0.0%
99	Yonyou	China	\$347.88	\$666.20	52.2%	\$3.48	1.0%
100	ABB Ltd.	Switzerland	\$335.82	\$39,336.00	0.9%	\$0.00	0.0%
Total			\$255,221.02	\$1,378,109.56		\$19,628.97	

1. Issues on Intellectual property: **Contents**

a) Fast overview: Top100 Companies in the Digital content industry

- Almost from **US: 83% - Top 50 US: 86%**
- **Europe: 16%-** 31th (**NL**), 32th (**DE**), 39th (**NO**), 42th (**NL**), 49th (**CH**)
- **France: 14th position (Aquafadas)**
- **Potential expected in G20 (2010-2016): \$ 4.2 trillion Growth opportunity**

1. Issues on Intellectual property: **Contents**

a) Fast overview: Top 50 Companies in the Digital

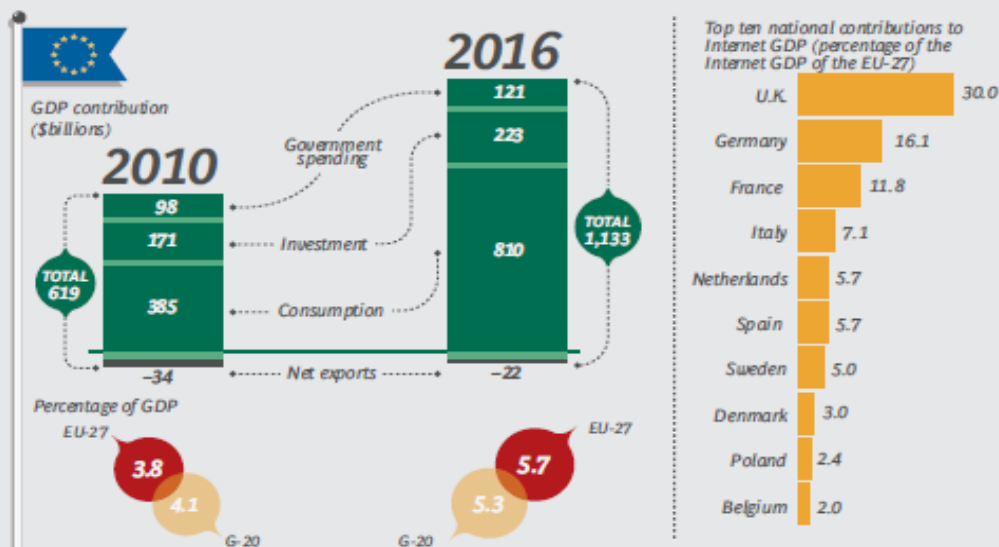
Rank	Company	Activity sector	Country
1	3M	Distribution & Delivery	USA
2	Access Innovations, Inc.	Search & Analytics	USA
3	Acquia, Inc.	Web Content Management	USA
4	Acquire Media	Distribution & Delivery	USA
5	Acrolinx GmbH	Content Creation	USA
6	Adobe Systems, Inc.	Content Commerce, Content Creation, Web Content Management	USA
7	Alacra, Inc.	Distribution & Delivery	USA
8	Alexander Street Press, LLC	Digital Content Provider	USA
9	Amazon, Inc.	Distribution & Delivery, Mobile Content	USA
10	Anamatrix, Inc.	Search & Analytics	
11	AOL, Inc.	Digital Content Provider	USA
12	Apple, Inc.	Distribution & Delivery, Mobile Content	USA
13	Aptara, Inc.	Content Creation, Mobile Content	USA
14	Aurafadas	Content Creation, Distribution & Delivery	France
15	Automatic, Inc.	Content Creation, Web Content Management	USA
16	Badgeville	Social Media	USA
17	Bloomberg LP	Digital Content Provider	USA
18	Brainshark, Inc.	Content Creation	USA
18	Brightcove, Inc.	Distribution & Delivery, Web Content Management	USA
20	CAS	Digital Content Provider	USA
21	Cengage Learning, Inc.	Content Creation, Digital Content Provider	USA
22	Conductor, Inc.	Search & Analytics	USA
23	Copyright Clearance Center	Content Commerce	USA
24	CoreMedia Corp.	Web Content Management	USA
25	Credo	Content Commerce, Digital Content Provider	USA

Rank	Company	Activity sector	Country
26	CSG International	Content Commerce	USA
27	Data Conversion Laboratory, Inc.	Digital Content Provider, Distribution & Delivery, Mobile Content	USA
28	Drupal	Web Content Management	USA
29	EBSCO Industries, Inc.	Distribution & Delivery	USA
30	Ektron, Inc.	Web Content Management	USA
31	Elsevier B.V.	Digital Content Provider, Distribution & Delivery	NL
32	Empolis Information Management GmbH	Search & Analytics	DE
33	Ephox Corp.	Content Creation	USA
34	eZ Systems	Web Content Management	Norway
35	Facebook	Social Media	USA
36	Fastcase	Digital Content Provider	USA
37	Flat World Knowledge, Inc.	Content Creation, Distribution & Delivery	USA
38	Flipboard, Inc.	Distribution & Delivery	USA
39	Georg von Holtzbrinck GmbH	Digital Content Provider	DE
40	Google, Inc.	Content Creation, Mobile Content, Search & Analytics	USA
41	HighWire Press	Content Creation, Distribution & Delivery	USA
42	Hippo B.V.	Web Content Management	NL
43	HubSpot, Inc.	Content Commerce	USA
44	Hulu	Distribution & Delivery	USA
45	iCopyright, Inc.	Content Commerce	USA
46	iFixit	Digital Content Provider	USA
47	IHS	Digital Content Provider	USA
48	Impelsys, Inc.	Content Creation, Web Content Management	USA
49	Informa PLC	Digital Content Provider	CH
50	Ingram Content Group, Inc.	Content Commerce, Distribution & Delivery	USA

1. Issues on Intellectual property: Opportunities for Europe

a) Fast overview: Digital Economy in EU

The Internet Economy in the EU-27



Sources: Economist Intelligence Unit; Ovum; Gartner; Euromonitor International; Organisation for Economic Co-operation and Development (OECD); Magnaglobal; CCB; BCG analysis.
Note: Some columns may not add up to total contributions due to rounding.

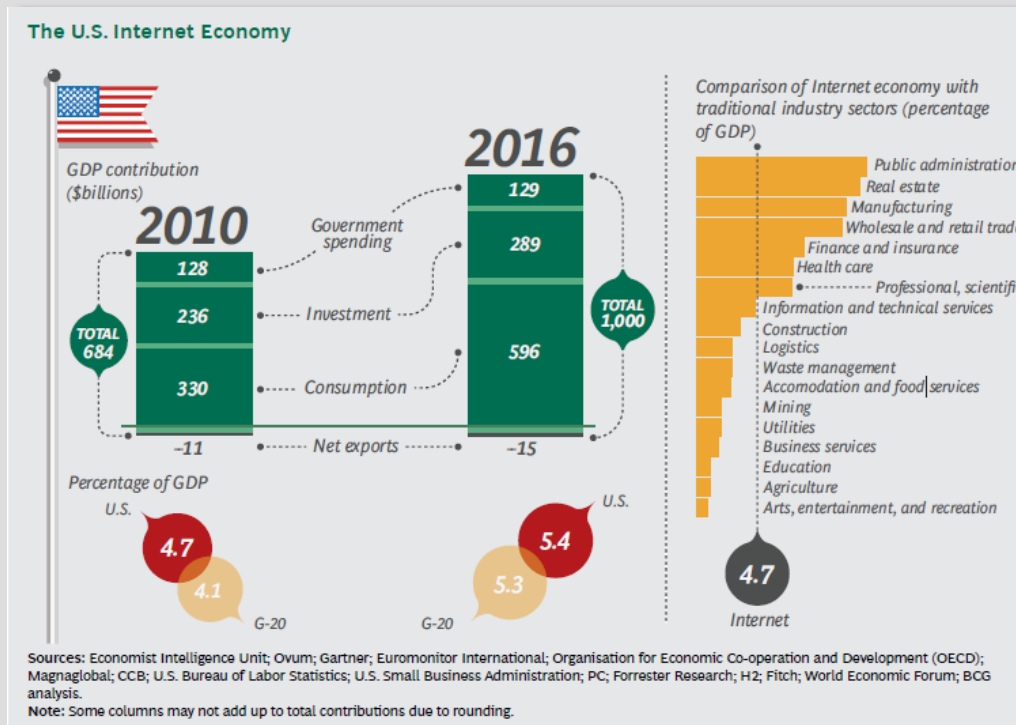
Majors potentials

- R&D
- Employment
- Security
- Economic growth
- Continental stability

> More progress in Europe

1. Issues on Intellectual property: Software-Contents-Patents

a) Fast overview: Digital Economy in US



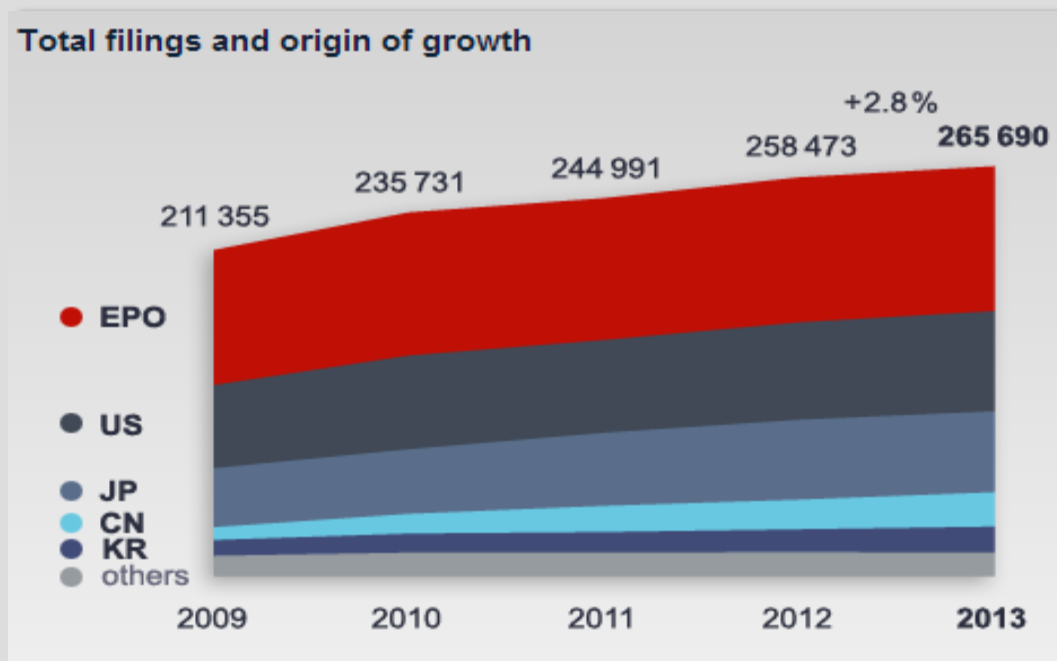
Brand/Patent U.S Department US law to protect Intellectual Property

- Brands-monitoring and
- Protecting their IP
- Law Enforcement
- Digital Millenium Copyright Act (2000)

>Stay 1st in the economic war

1. Issues on Intellectual property: **Patents**

a) Fast overview: European patent fillings



EPO : European patent office

- Increasing in Europe
- Dynamics Markets
- High level of R&D.
- Asia developing R&D

1. Issues on Intellectual property: **Patents**

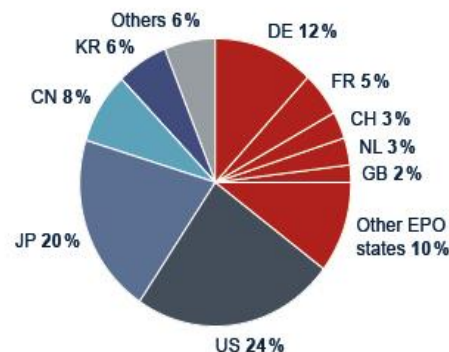
a) Fast overview: European patent fillings per country

Key trends

- **Europe: 35%**
- **Asia: 34%**
- **USA: 24%**
- **Others: 05%**

Source: European patent office
http://www.epo.org/about-us/annual-reports-statistics/annual-report/2013/statistics-trends/patent-filings_fr.html

European patent filings per country of origin



Origin

	2013	2012	Change
US	64 967	63 198	+2.8 %
JP	52 437	51 791	+1.2 %
DE	32 022	33 850	-5.4 %
CN	22 292	19 182	+16.2 %
KR	16 857	14 791	+14.0 %
FR	12 417	12 285	+1.1 %
CH	7 966	8 129	-2.0 %
NL	7 606	6 489	+17.2 %
GB	6 469	6 666	-3.0 %
Other EPO states	27 425	26 563	+3.2 %
Others	15 232	15 529	-1.9 %

Analysis based on the European patent filings 2013 (Direct European filings under the EPC and international filings under the PCT).
 The filings have been allocated to the country of residence of the first-named applicant.
 EPO: the 38 member states of the European Patent Organisation, including EU28

1. Issues on Intellectual property: **Patents**

a) Fast overview: European patent applications

Top Technical fields

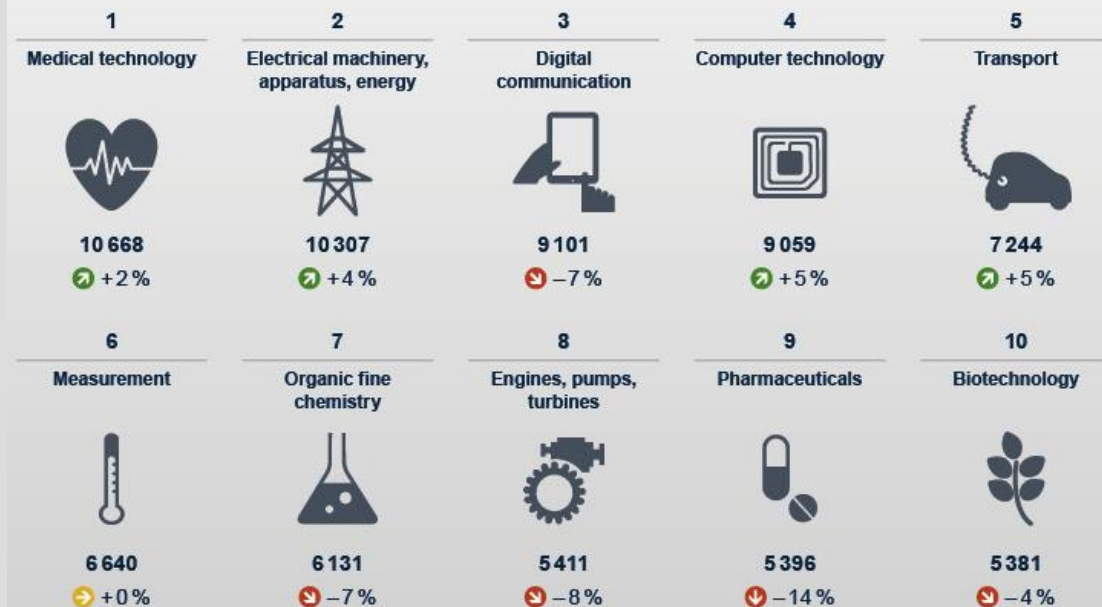
Key trends



Source European Patent Office

http://www.epo.org/about-us/annual-reports-statistics/annual-report/2013/statistics-trends/patent-applications_fr.html

Top technical fields



Analysis based on the European patent applications filed with the EPO (Direct European applications and International (PCT) applications entering the European phase).

1. Issues on Intellectual property: **Patents**

a) Fast overview: European patent applications per country

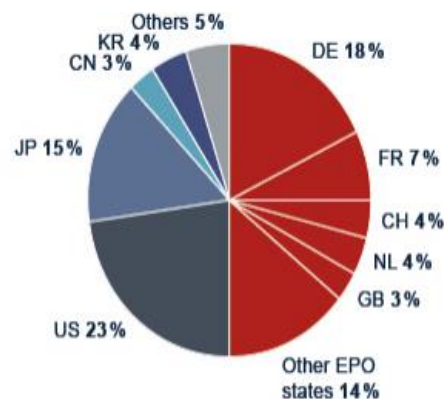
Key trends

- Europe: **50%**
- U.S: **23%**
- Asia: **19%**
- Others: **05%**

Source European Patent Office:

http://www.epo.org/about-us/annual-reports-statistics/annual-report/2013/statistics-trends/patent-applications_fr.html

European patent applications per country of origin



	2013	2012	Change
US	33 834	35 207	-3,9%
JP	22 555	22 659	-0,5%
DE	26 645	27 276	-2,3%
FR	9 754	9 918	-1,7%
CH	6 651	6 685	-0,5%
KR	6 336	5 719	+10,8%
NL	5 826	5 063	+15,1%
GB	4 567	4 717	-3,2%
CN	4 056	3 732	+8,7%
Other EPO states	12 605	12 156	+3,7%
Others	7 668	8 147	-5,9%

Analysis based on European patent applications filed with the EPO (Direct European applications and International (PCT) applications entering the European phase).

EPO: the 38 member states of the European Patent Organisation, including EU28.

1. Issues on Intellectual property: **Patents**

a) Fast overview: Granted patents per country

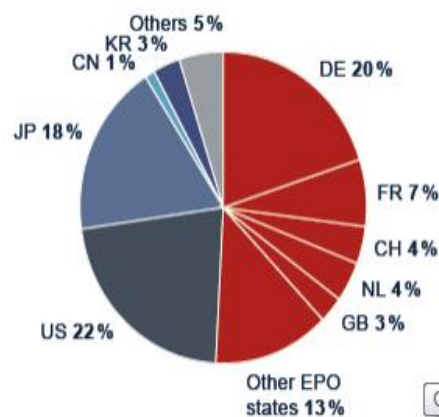
Key trends

- Europe: **50%**
- U.S: **22%**
- Asia: **22%**
- Others: **05%**

Source European Patent Office:

http://www.epo.org/about-us/annual-reports-statistics/annual-report/2013/statistics-trends/patent-applications_fr.html

Granted patents per country of origin



	2013	2012	Change
US	14 880	14 705	+1,2 %
DE	13 425	13 316	+0,8 %
JP	12 135	12 855	-5,6 %
FR	4 910	4 803	+2,2 %
CH	2 668	2 597	+2,7 %
NL	2 352	2 238	+5,1 %
GB	2 062	2 020	+2,1 %
KR	1 989	1 785	+11,4 %
CN	941	791	+19,0 %
Other EPO states	8 191	7 652	+7,0 %
Others	3 159	2 895	+9,1 %

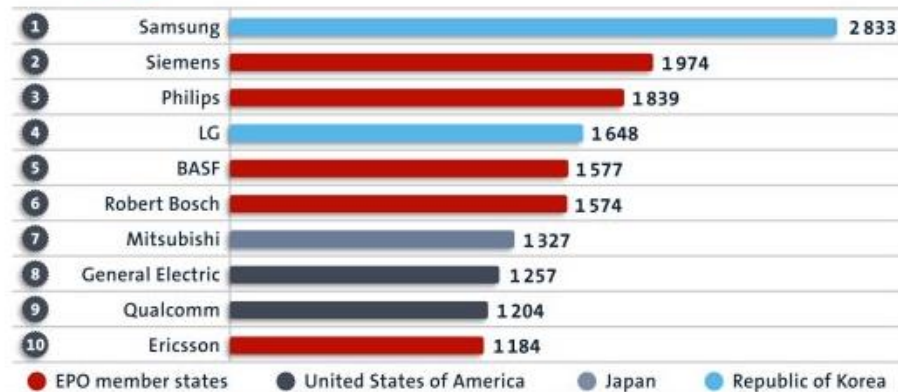
Analysis based on granted patents published in 2012/2013. Patents have been allocated to the country of residence of the first-named patentee.
EPO: the 38 member states of the European Patent Organisation, including EU28

1. Issues on Intellectual property: **Patents**

a) Fast overview: Top applicants seeking

Top patentees

TOP 10



¹ Based on European patent applications filed with the EPO

A European company, Robert Bosch, heads the list of top patentees at the EPO for the second year running, with Siemens dropping from second to third place. Asian firms, such as Samsung, LG Group and Panasonic, feature prominently on the top 10 list.

Granted patents published

1	ROBERT BOSCH	820
2	SAMSUNG	816
3	SIEMENS	718
4	LG	619
5	PANASONIC	568
6	ERICSSON	558
7	SONY	524
8	MITSUBISHI	507
9	BASF	490
10	PHILIPS	467

Analysis based on granted patents published in 2013.

1. Issues on Intellectual property

b) Risks: Economic intelligence

- Big Data and legislation
- Massive industrial spying activities

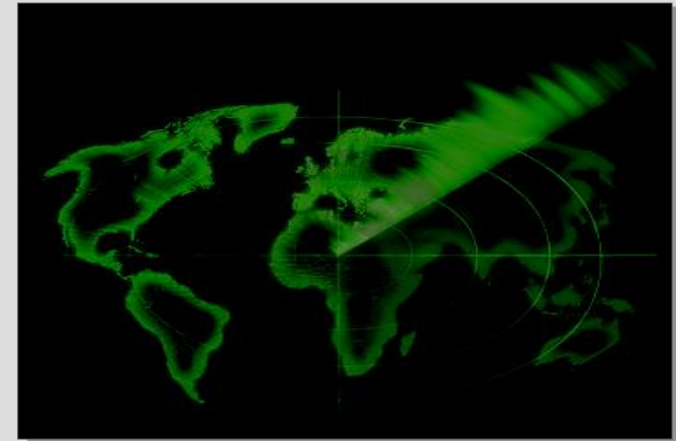
(Snowden, State against over states, Companies, etc...)

- Cyber weapons for purposes of damage or obtain technology

(Ex: Stuxnet, Spamhaus, JP Morgan Chase & Co, Saudi Aramco, Snecma)

- Cybercrime activities and cyberterrorism

(Ex: Counterfeiting, activism, fraud, social engineering, etc...)



1. Issues on Intellectual property

b) Risks: Economic intelligence (France)

2013: **Ex-DCRCI** (Central Directorate of Internal Intelligence) indicated **20%** of **8,000** attempts of spying identified were in Paris's region.

Hackers are looking for **strategic data** classified in three categories:

- Information related to the research and development (**R&D**)
- Information exchanged by the leaders of these companies.
- Financial and business results: contracts, negotiations, etc.

1. Issues on Intellectual property

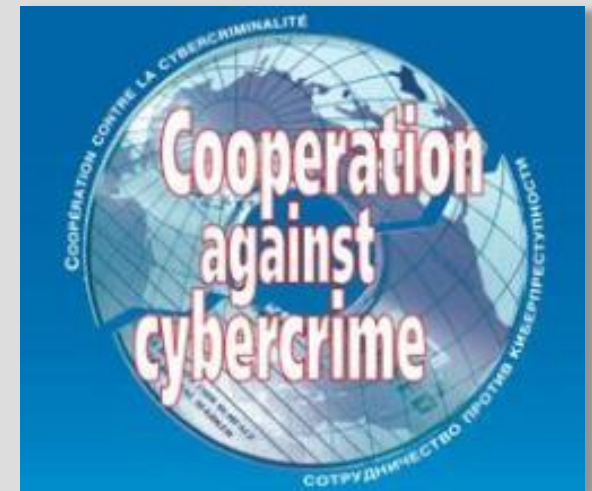
b) Risks: Octopus Cybercrime Community-COE

Council of Europe: Budapest Convention on Cybercrime-(STCE 185)

65 countries (UE&non-UE) created **23/11/2001**

Cooperation Public/Private sector:

- **Art2.** Illegal access
- **Art3.** Illegal interception,
- **Art8.** Computer forgery,
- **Art9.** Computing fraud
- **Art10.** Intellectual property and legal rights



1. Issues on Intellectual property

b) Risks: Observations in the world

- 06/04/2014: **"Heartbleed"** most computer security vulnerability.
- 13/05/2014: European Court of Justice/Google: **Right to be forgotten.**
- 15/05/2014: Open Internet Project (Mr Ministry **A.Montebourg**, Paris - Mr Ministry **S.Gabriel**, Berlin).
- 19/05/2014: the U.S Department of Justice announced charges against **5 Chinese military hackers**, accusing them of stealing trade secrets and targeted nuclear technology for competitive advantage.
- 20/05/2014: In its 2013 report, the **CNIL** denounces the massive surveillance of citizens. (**France**)

1. Issues on Intellectual property

b) Risks: Observations in the world

- 20/05/2014: International Police operation against users' “**Blackshades software**”
- 21/05/2014: **Ebay** is cyber attacked (**Luxembourg**)
- 25/05/2014: **The Legal Affairs Committee of the Chamber of Deputies** approved the bill on cybercrime. This project will enable all the Luxembourg's legislations arsenal to adapt to the Convention on Cybercrime (**Luxembourg**).
- 28/05/2014: **China's government** has heavily criticized the secret surveillance programs of the **U.S** government, accusing **Cisco** to help his government in actions of cyber-espionage. (**China**)

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c) Thought



Source: <http://geekanddummy.com/prism-scandal-tech-giants-flatly-deny-allowing-nsa-direct-access-to-servers/>

1. Issues on Intellectual property

c) Questions and thoughts

- Open Internet Project: **A politic volution** ?
- An **European** Internet Industry rebalancing vs **US** Internet industry ?
- **U.S** imposing their jurisdictions ? ?
- Why not our European « **DMCA** » ?
- **Public legal cybertension** between **Titans** ?
- Which world would we like ?

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2. Governance: For Whom ?



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2. Governance: for Whom ?

- a) Fast overview of the latest 6 months news
- b) Alternatives ?
- c) Challenges and questions

2. Governance: for Whom ?

a) Fast overview: News of the world

- 24/09/2013: At the UN assembly, Ms **Pdt Dilma Rousseff** vigorously denounces U.S. tracks. (**Brazil**)
- 14/01/2014: “An appeals court in **Washington** has canceled the FCC’s “net neutrality” rules. (**U.S.A**)
- 12/02/2014: “Europe must contribute to the development of a credible plan for global governance of the Internet and must actively participate in the definition of the Internet of the future” said **Neelie Kroes, Vice-President of the European Commission**. (**Europe**)

2. Governance: for Whom ?

a) Fast overview: News of the world

- 13&14/02/2014: Civil Society meeting in New Delhi.(**India**)
Creation of **JustNet Coalition**
- 15/02/2014 : Chancellor **Ms Merkel** calls for a European Internet.(**Germany**)
- 27/02/2014: “Europe and Brazil will take their own Internet cable”.(Press, **France**)
- 14/03/2014: Department of Commerce (**NTIA**) announced in press
want to rethink their role within ICANN.(NTIA website, **U.S.A**)
- 23/03/2014: **Senators** believe that the American withdrawal from the
management of domain name does not end the debate.(**France**)

2. Governance: for Whom ?

a) Fast overview: News of the world

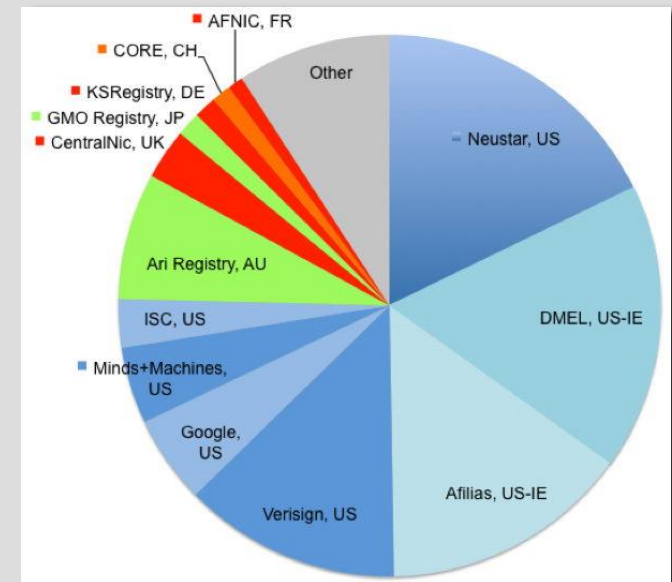
- **03/04/2014:** Revision of the "**telecoms package**". The **European Parliament** has adopted a number of amendments in favor of **net neutrality** to protect a **free** and **equal access** to all content and Internet services. (**Europe**)
- **22/04/2014:** Brazilian Congress passes Internet bill of rights. (**Reuters, Brazil**)
- **23&24/04/2014:** **Netmundial** in Sao Paulo. (**Brazil**).
Louis Pouzin in the High Level comitee, **Eurolinec** – Datagram's founder (**France**).
- **22/05/2014:** House of Representatives voted a controversial reform of the NSA. (**USA**)

2. Governance: for Whom ?

b) Alternatives: Who is managing internet ?

Three quarters of technical TLD operators are American (source: ICANN)

- Almost **Registers** from U.S
- US law in action
- ICANN: 13 DNS servers and IP addressing



2. Governance: for Whom ?

b) Alternatives: Declaration of Netmundial-12 countries (HLC)

Contribution: **186** – Countries: **46**

- The statement NETmundial proposes to strengthen the role of the Internet Governance Forum (**IGF**), and calls for proposals issued by the **Working Group** of the **UN** in place by the end of 2015.

Part of the statement:

- "**Human rights** are universal as reflected in the **Universal Declaration of Human Rights** and this should support the principles of Internet governance". "The **rights** that people have **offline** must also be protected **online**." It even raises the principle of **legal responsibility** of Governments are accountable for the **protection of rights**."

2. Governance: for Whom ?

b) Alternatives ?

1. Political representation of multilingualism: **United nations**

Council Resolution on Human Rights: [05/07/2012](#)

Which enshrines the right to **freedom** of expression on the **internet**.

North continent say no - Non democratic states are presents

2. Technical alternative: **Open Root and Open Internet Project ?**

- **Open root: Strategic naming** – instead of root of ICANN
- **Horizon 2020 (EC): Netneutrality Challenges** – Trust and security

2. Governance: for Whom ?

c) Challenges and questions

- **Netmundial** : Civil society recommendations? All out from the document
- **Internet constitution: 22/04/2014** to protect Brazilian citizens.(**Brazil**)

A possible example ?

- Which possibilities and safeguards for countries in development ?

Ricardo Ferraço, protactor of the text, said “it is a **new legal standard that prevents cooperation** between companies in the High Tech and **agencies** and services such as eavesdropping **Americian intelligence agency**”.

2. Governance: for Whom ?

c) Challenges and questions

- A new organisation: How economically and legally will operate the organization ?
- Private justice against public justice ? A private justice for internet for the benefits benefits of Whom ?
- **Sept 2015: NTIA** will leave **DNS** management in the **ICANN**.
Isn't just a diplomatic strategy following the Snowden case, is it ?
- **NETmundial** a political commitment without legal value ?

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3. The « European dream » Questions and thoughts



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3. The « European dream »

a) Questions and challenges: Our European dream is dead ?

- How to revive our dream : **Democracy and economy**

The Lisbon Treaty actually says in **Article 78** that the Union "shall develop a common policy in asylum cases," according to the usual procedure of co-decision, and including in particular:

1/A uniform status of asylum valid throughout the Union - 2/A uniform status of subsidiary protection
3/A common system in the event of a mass influx, temporary protection - 4/Common procedures
5/Criteria for determining the Member State responsible for examining an application - 6/Cooperation with 3rd countries

Why not give a political asylum to Snowden in Europe ?

- Internet: **The new challenge of the 21st century**

1/ Intellectual Property and legal - 2/ Economy - 3/ Research and Development

4/ Security - 5/ Infrastructure – 6/ Democracy

3. The « European dream »

b) Thoughts

1. Whats is our « European Interner dream » ?

- a) The base of the initial dream of Europe
- b) The Internet should be integrate as **common good of the international community**

2. As Marthin Luther King, « **I have dream...**»



Thanks for your attention

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