

GOVERNING MEDICAL KNOWLEDGE COMMONS

Governing Medical Knowledge Commons makes three claims: first, evidence matters to innovation policymaking; second, evidence shows that self-governing knowledge commons support effective innovation without prioritizing traditional intellectual property rights; and third, knowledge commons can succeed in the critical fields of medicine and health. The editors' knowledge commons framework adapts Elinor Ostrom's groundbreaking research on natural resource commons to the distinctive attributes of knowledge and information, providing a systematic means for accumulating evidence about how knowledge commons succeed. The editors' previous volume, *Governing Knowledge Commons*, demonstrated the framework's power through case studies in a diverse range of areas. *Governing Medical Knowledge Commons* provides 15 new case studies of knowledge commons in which researchers, medical professionals, and patients generate, improve, and share innovations, offering readers a practical introduction to the knowledge commons framework and a synthesis of conclusions and lessons. The book is available Open Access at <http://dx.doi.org/10.1017/9781316544587>.

Katherine J. Strandburg is the Alfred B. Engelberg Professor of Law at New York University School of Law, where she specializes in patent law, innovation policy, and information privacy law. Her research considers the implications of collaboration, social interactions, and technological change for law and policy in these areas, often from an interdisciplinary perspective. Professor Strandburg is an experienced litigator and has authored several amicus briefs to the Supreme Court and federal appellate courts dealing with patent and privacy law. Prior to her legal career, she was a physicist studying statistical mechanics and phase transitions at Argonne National Laboratory, having received her PhD from Cornell University and conducted postdoctoral research at Carnegie Mellon University.

Brett M. Frischmann is the Charles Widger Endowed University Professor in Law, Business and Economics at Villanova University Charles Widger School of Law, where he teaches Internet law, intellectual property law, and related technology law courses. Frischmann holds an undergraduate degree in astrophysics and graduate degrees in engineering and law. His book *Infrastructure: The Social Value of Shared Resources* (2012) received the 2012 PROSE award and was reviewed in the *Economist* and *Science*. Frischmann is also coauthor of *Cyberlaw: Problems of Policy and Jurisprudence in the Information Age*, a leading textbook on Internet law.

Michael J. Madison is Professor of Law and Faculty Director of the Innovation Practice Institute at the University of Pittsburgh School of Law. His research and scholarship address intellectual property law and policy, as well as questions concerning the production and distribution of knowledge and innovation. He is the author of more than 40 journal articles and book chapters and the coauthor of *The Law of Intellectual Property* (5th ed., 2017). He was elected to membership in the American Law Institute in 2016. He received his law degree from Stanford University and his undergraduate degree from Yale University.

CAMBRIDGE STUDIES ON GOVERNING KNOWLEDGE COMMONS

The mission of the series is to provide an authoritative space for high-quality scholarship on the governance of knowledge commons. Following the path pioneered by Elinor Ostrom, recipient of the Nobel Prize in Economics for her work on institutional analysis of commons regimes in the natural environment, and the editors' work in *Governing Knowledge Commons*, this series uses a similar framework to systematically study knowledge commons in various sectors. Readers seeking more information on knowledge commons and this series can visit <http://knowledge-commons.net>, a repository for scholarship produced by an international, interdisciplinary group of knowledge commons researchers.

Series Editors

Katherine J. Strandburg

Brett M. Frischmann

Michael J. Madison

Governing Medical Knowledge Commons

edited by

KATHERINE J. STRANDBURG

New York University School of Law

BRETT M. FRISCHMANN

Villanova University Charles Widger School of Law

MICHAEL J. MADISON

University of Pittsburgh School of Law



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

4843/24, 2nd Floor, Ansari Road, Daryaganj, Delhi – 110002, India

79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107146877

DOI: [10.1017/9781107146877](https://doi.org/10.1017/9781107146877)

© Katherine J. Strandburg, Brett M. Frischmann, and Michael J. Madison 2017

This work is in copyright. It is subject to statutory exceptions and to the provisions of relevant licensing agreements; with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part of this work may take place without the written permission of Cambridge University Press.

An online version of this work is published at <http://dx.doi.org/10.1017/9781107146877> under a Creative Commons Open Access license CC-BY-NC-ND 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given. You may not distribute derivative works without permission. To view a copy of this license, visit <https://creativecommons.org/licenses/by-nc-nd/4.0>

All versions of this work may contain content reproduced under license from third parties.

Permission to reproduce this third-party content must be obtained from these third-parties directly.

When citing this work, please include a reference to the DOI [10.1017/9781107146877](https://doi.org/10.1017/9781107146877)

First published 2017

Printed in the United States of America by Sheridan Books, Inc.

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data.

Names: Frischmann, Brett M., editor. | Madison, Michael J., 1961– editor.

| Strandburg, Katherine Jo, 1957– editor.

Title: Governing medical knowledge commons / edited by Brett Frischmann, Michael Madison, Katherine Strandburg.

Other titles: Cambridge studies on governing knowledge commons.

Description: Cambridge, United Kingdom ; New York, NY : University Printing House, 2017. |

Series: Cambridge studies on governing knowledge commons | Includes bibliographical references.

Identifiers: LCCN 2017026021 | ISBN 9781107146877 (Hardback) | ISBN 9781107146877 (Pbk.)

Subjects: | MESH: Medical Informatics | Information Management | Health Knowledge, Attitudes, Practice | Health Policy

Classification: LCC R855.3 | NLM W 26.5 | DDC 610.285–dc23

LC record available at <https://lccn.loc.gov/2017026021>

ISBN 978-1-107-14687-7 Hardback

ISBN 978-1-316-60100-6 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.