

Paris, on November 2nd, 2006

Dear friends,

Congratulations to April for its tenth birthday. You crusade for a fight I believe essential for our freedoms, perhaps even whole civilization.

Being neither a computer specialist nor a computer user, I had hardly heard about software until four years ago, and in any case, if there were Free or not.

As President of French Culture's Commission, which is indeed highly symbolic, I had to produce a report for judgment because nobody wanted to do it.

It took me almost a year to figure out something from it. But when I taught I caught it, I expressed my mind straightforwardly.

It appears to me undoubtedly necessary to defend the research and creation liberties as well as free access to the creations of mankind's knowledge. Our workshops did even highlight that less innovative softwares are made when patent-orientated policies include softwares themselves.

To me, preserving these liberties and refusing even a temporary monopolization of mathematical knowledge, expressed as softwares, should be immutable principles for our future.

This is why the essential institutional question is, in my opinion, the one of the competency belonging to a legislative authority capable to produce laws in these domains.

We cannot content ourselves with a professional judicial authority, without any precise geographic competency and with a jurisprudence evolving exclusively according to Asiatic or American competition.

There is no other way than to introduce a European patent. Its definition and geographic boundaries would recover from European Parliament. A legal system would also be dependent on the European institutions. The Munich system is a useful commodity but which does not answer to these criteria as it does not have any legislative competency to settle these difficult problems that are software or life patentability.

Kind regards to you.

Michel ROCARD