European Crystallographic Association
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It has come to the attention of the European Crystallographic Community that the European Parliament is about to legalize patents on software and algorithms, which would be extremely harmful to scientific research and innovation.

The legalization of patents on software and algorithms (fundamental parts of programs) could allow any person or company to "lock" whole new techniques. Patenting software is equivalent to patenting ideas, which can be used in a variety of applications. This would be especially harmful to the scientific community where most innovations have depended on collaborative projects and the diffusion of algorithms.

The situations between "heavy" industries and the software industry are very different. For instance in drug research, few pharmaceutical industries are producing new products with development cycles which can take up to 10 years, with many researchers involved. These enterprises must be defended through patents to encourage the publication of new inventions. On the other hand, there are more than a million software developers, contributing to new major inventions every few months. *Software innovation traditionally depends on diversity of effort from many contributors, and is not driven by developments from a protected few.*

As this new legislation would only stifle innovation and prevent new research on algorithms from both academic researchers and small and medium enterprises, we believe that *software should continue to be protected by copyright laws alone*, in the spirit of the Munich convention, which excludes "discoveries, scientific theories, mathematical methods and computer programs" from patent application.

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The European Crystallographic Association represents the interests of more than 4000 crystallographers (both academics and industrialists) in Europe. Crystallography underpins chemistry, mineralogy, pharmaceutical research and many other fields.

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