

Kirby "Everything is a Remix" Ferguson's TED Talk discusses the way that creativity comes about as the result of creative re-use of others' work. It's not just explicit remixes and samples -- everything from the iPhone to Bob Dylan's music are made out of other peoples' inventions and creations. Ferguson shows that our cognitive bias for "loss aversion" makes us willing to take others' ideas, but furious when others take our ideas and build on them (cue Steve Jobs saying "I've always stolen shamelessly from the best" and contrasted with his vow to "go thermonuclear on Android" because "It is a stolen product.") We rationalize that the stuff we take from others is just plumbing -- uncreative infrastructure to which we add our own special snowflakes of creativity. But everyone thinks that his or her work is a special snowflake and everyone else's is boring plumbing. The truth is, it's both. And copyright and patent laws, with their "awkward metaphor" of property, have it backwards. They make hypocrites out of all of us, forcing us to pretend that our inspiration arrived holus-bolus, as our brains were bestirred by mystical muses -- and to deny our participation in the ancient tradition of ripping off the best and making something that's ours out of what we take.