

Open Access and Intellectual Property: Balancing the Democratization of Knowledge And Protecting Rights in Venezuela

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ABSTRACT

This article examined the complex interrelationship between the open access movement and the intellectual property regime in the Venezuelan context, analyzing the search for a balance between the democratization of knowledge and the protection of the rights of authors and inventors. The main objective was to analyze the theoretical and practical mechanisms that allow for harmonizing these two paradigms, often perceived as antagonistic, to foster a more open and equitable scientific ecosystem. The methodology employed was documentary and qualitative, based on the hermeneutic analysis of primary sources (national laws) and secondary sources (specialized academic literature). The results broke down the key contributions of authors such as Suber (normative definition of Open Access), Hurtado (legal mechanisms of flexible licenses), and Vessuri et al. (sociopolitical and contextual dimension), revealing that coexistence is viable through instruments such as Creative Commons licenses. It was concluded that balance is not only possible but necessary for national scientific development, requiring concerted action at the normative, institutional, and cultural levels to overcome implementation barriers and promote open science that strengthens Venezuela's cognitive sovereignty.

Descriptors: Open Access, Intellectual Property, Copyright, Venezuela, Democratization of Knowledge, Creative Commons Licenses, Science Policy, Academic Communication. Bibliographic Review: Lawyer. MSc in Criminal Law and Criminology. Specialist in Labor Procedural Law. Currently pursuing: PhD in Constitutional Law at UNELLEZ. PhD in Law and International Relations at IESIP. Master's degree in Civil Procedural Law at UBA.