

The Space Race: Countries to Billionaires?

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When President John F. Kennedy launched a national effort to put astronauts on the Moon within a decade, Americans were inspired and ultimately met his challenge. The coordinated effort of the NASA Apollo Program, which successfully landed humans on the moon, took place in the context of the Space Race between the United States and the Soviet Union. As [Neil Armstrong](#) and many historians have suggested, the Cold War served as an impetus for human exploration into space.

However, today's space exploration efforts are taking place in a much different context. It's true that the United States, Russia, China, and India view space exploration as important to their geopolitical interests. And some American politicians including Vice President Pence have suggested that there's a new [space race between the United States and China](#). But the most important feature of current space efforts is the transformation of JFK's national aspirational effort into a [space race of billionaires](#).

As the founder of SpaceX, Elon Musk is pursuing the [colonization of Mars](#) and the development of cargo missions into space for the U.S. military and others. Jeff Bezos, founder of [Blue Origin](#), desires to build a lunar base and create a space tourism industry. Virgin Galactic founder Richard Branson is also interested in developing space tourism.

The three billionaires desire to beat the others in their space ambitions. Litigation may serve as a tool to gain an edge over the others. Therefore, the business law community should prepare itself for the litigation that will occur between the companies. [SpaceX has sued the US government](#) because of a \$2 billion agreement to build rockets which the Air Force granted to Blue Origin (and other companies). Now Blue Origin wants to defend its deal by intervening in the lawsuit. In addition, the two companies were previously engaged in a ruthless [patent dispute](#) over a way of landing rockets on vessels. SpaceX prevailed.

If the billionaires succeed in their space ambitions it will pose novel legal issues regarding space travel and human life in space. Also, litigation between their companies will likely increase if they are still in competition. Therefore, it is crucial that space law, business



law, and intellectual property law regimes currently begin to transform in a manner that will encourage the betterment of humanity in space.