

## New Directions In Copyright Law Volume 1 Vol 1 New Directions In Copyright Law Series

After its heyday in the 1970s and 1980s, many wondered whether the law and literature movement would retain vitality. This collection of essays, featuring twenty-two prominent scholars from literature departments as well as law schools, showcases the vibrancy of recent work in the field while highlighting its many new directions. *New Directions in Law and Literature* furnishes an overview of where the field has been, its recent past, and its potential futures. Some of the essays examine the methodological choices that have affected the field; among these are concern for globalization, the integration of approaches from history and political theory, the application of new theoretical models from affect studies and queer theory, and expansion beyond text to performance and the image. Others grapple with particular intersections between law and literature, whether in copyright law, competing visions of alternatives to marriage, or the role of ornament in the law's construction of racialized bodies. The volume is designed to be a course book that is accessible to undergraduates and law students as well as relevant to academics with an interest in law and the humanities. The essays are simultaneously intended to be introductory and addressed to experts in law and literature. More than any other existing book in the field, *New Directions* furnishes a guide to the most exciting new work in law and literature while also situating that work within more established debates and conversations.

Bold in its attempt to be original, this book should be read by anyone interested in the future of copyright, regardless of discipline, and in intellectual property more generally.

"The four parts of our book that follow offer a range of legal and policy perspectives on the problems of COIN in particular and irregular warfare in general as twenty-first century asymmetric warfare continues to evolve. The contributors offer analyses and prescriptions that are complimentary in some instances and widely divergent in others"--Page xxii, Introduction.

*TV Futures: Digital Television Policy in Australia* brings together leading writers from both law and media studies to examine the implications of the shift to digital television for the platforms and audiences, copyright law and media regulation. The book combines writers with expertise in media law and copyright law with those skilled in media policy and social and cultural research. Through its scope and topicality, the book substantially develops the literature on digital television to serve readers from across the fields of law, the humanities and social sciences. This book critically evaluates the current copyright law system in a digital environment from a comparative perspective. Since many developing countries modelled their copyright laws on more advanced jurisdictions, they have not benefitted from such a law as much as intended due to their inherently embedded social economic conditions. Moreover, the copyright law system has been under constant challenges from rapidly developing digital technology and the Internet. All in all, there is a pressing need for developing countries to reevaluate their copyright law in light of their national needs, the developmental stage of their economy, their culture and tradition, and their legal system. The book poses the question of whether copyright law should be reformed to fulfill its fundamental purpose of serving education and research that are in the public interest in the digital era? It examines whether the legal frameworks adequately address developing countries' educational and research requirements in view of the opportunities and restrictions posed by electronic communication media. Further, it provides a comprehensive study that addresses the various critical issues relevant to the reform of the copyright law system and offers recommendations for developing countries to revamp their copyright law system to better serve their education and research sector.

Design and deliver traditional reference services in new and innovative ways Librarians work in an environment of constant change created by new technology, budget restraints, inflationary costs, and rising user expectations. *New Directions in Reference* examines how they can use new and innovative methods to design and deliver traditional reference services in a wide range of settings. The book's contributors relate first-hand experiences in libraries large and small, public and academic, and urban and rural dealing with a variety of changes, including virtual reference, music reference, self-service interlibrary loan, e-mail reference, and copyright law. Change isn't new to libraries but the accelerated pace of change is. Traditional lines that have existed between library departments have been erased and traditional notions about general and specialized reference services have been reconsidered. *New Directions in Reference* documents how librarians are re-thinking their roles and responsibilities to keep pace with the ongoing process of evolution that borders on revolution. *New Directions in Reference* examines: the skills needed to manage and evaluate virtual reference services the basics of modern copyright law and the Digital Millennium Copyright Act (DMCA) the changes in users, sources, and modes of access in music reference services the use of interlibrary loan management software that allows patrons to request, track, and renew borrowed materials online the "Ask-A-Librarian" e-mail reference service the Government Printing Office and government information online and much more! *New Directions in Reference* also includes case studies involving the new Martin Luther King Jr. Library in San Jose, California, and the impact of Personal Digital Assistants (PDAs) in providing references services for medical libraries. This important book is an essential professional resource for public, academic, and special librarians, especially those providing reference services.

'This is an exceptional collection of scholarly contemporary thoughts on the future directions of copyright law. . . The contributors to this volume come from many jurisdictions and bring with them their respective rich backgrounds and experiences in copyright law. The result is an enlightening collection of papers.' - Yee Fen Lim, *Journal of Intellectual Property Law and Practice*

The EU is faced with the perpetual challenge of guaranteeing effective enforcement of its law and policies. This book brings together leading EU scholars in law, politics and regulation, to explore the wealth of new legal and regulatory strategies, practices, and actors that are emerging to complement the classic avenues of central and decentralized enforcement. The contributors evaluate the traditional 'dual vigilance' framework of enforcement before examining network(ed) enforcement from theoretical, empirical and legal perspectives. They assess innovations in key EU policy fields such as the environment, consumer protection, competition, freedom, security and justice, and economic governance. This multi-disciplinary book will be of use to students and academics in law, political science, regulation and public policy. It will also interest policy-makers in EU institutions, national administrations and courts engaged in the implementation and enforcement of EU law and policy.

This book is a very significant contribution to the question of protecting traditional cultural expressions. . . It is filled with fascinating ideas and perspectives that challenge the reader to rethink the law once again. Jamil Ammar, *European Intellectual Property Review* Legal protection for traditional cultural expressions is an area of contemporary policy making characterized by widespread concern and considerable controversy. Intellectual property scholars have a dire need for informed perspectives on the history of this subject area and the lucid commentary on its social and political implications that the authors of these cogent interdisciplinary essays provide. This impressive volume promises to be quickly acknowledged as an indispensable guide to the issues in this field.

Rosemary J. Coombe, York University, Canada The first wave of scholarship on cultural appropriation was often better at denunciation than at grappling with the complexities of cultural heritage and its protection. *Intellectual Property and Traditional Cultural Expressions in a Digital Environment* launches a second wave: nuanced, interdisciplinary, looking past accusation toward flexible solutions. For all that, it is no less committed to social justice. By bringing together leading-edge scholarship from law, the arts, communications, anthropology, history, and philosophy, the editors have taken research on heritage protection to the next level of sophistication. Michael F. Brown, Williams College, US and author of *Who Owns Native Culture?* In the face of increasing globalisation, and a collision between global communication systems and local traditions, this book offers innovative trans-disciplinary analyses of the value of traditional cultural expressions (TCE) and suggests appropriate protection mechanisms for them. It combines approaches from history, philosophy, anthropology, sociology and law, and charts previously untravelled paths for developing new policy tools and legal designs that go beyond conventional copyright models. Its authors extend their reflections to a consideration of the specific features of the digital environment, which, despite enhancing the risks of misappropriation of traditional knowledge and creativity, may equally offer new opportunities for revitalising indigenous peoples values and provide for the sustainability of TCE. This book will appeal to scholars interested in multidisciplinary analyses of the fragmentation of international law in the field of intellectual property and traditional cultural expressions. It will also be valuable reading for those working on broader governance and human rights issues.

For reasons of effectiveness, efficiency and equity, Australian law reform should be planned carefully. Academics can and should take the lead in this process. This book collects over 50 discrete law reform recommendations, encapsulated in short, digestible essays written by leading Australian scholars. It emerges from a major conference held at The Australian National University in 2016, which featured intensive discussion among participants from government, practice and the academy. The book is intended to serve as a national focal point for Australian legal innovation. It is divided into six main parts: commercial and corporate law, criminal law and evidence, environmental law, private law, public law, and legal practice and legal education. In addition, Indigenous perspectives on law reform are embedded throughout each part. This collective work—the first of its kind—will be of value to policy makers, media, law reform agencies, academics, practitioners and the judiciary. It provides a bird's eye view of the current state and the future of law reform in Australia.

The intersection of Western intellectual property law and traditional knowledge in Africa.

Explores the significance of the Anthropocene for environmental politics, analysing political concepts in view of contemporary environmental challenges.

Helle Porsdam's new book is a readable and perceptive analysis of European and American perceptions of essential human rights and their roots in national and regional cultures. Professor Porsdam traces the notions of civil, political, social and economic interests as rights protected and implemented by law on both sides of the Atlantic. *From Civil to Human Rights* is a must read for Europeans, Americans, and everyone else who wants to learn more about the institutions, values, hopes and dreams that bring us

together and hold us apart at the beginning of the 21st century. Peter L. Murray, Harvard Law School, Cambridge, US Is there a special human rights narrative emerging from the chastened soul of post-war Europe? What lies ahead for that great but shattered community? Helle Porsdam, a leader in the related fields of human rights and humane letters, bids fair to answer these and other pressing questions. Along the way her highly nuanced intellect addresses the frustrating differences among those contentious first cousins, Europe and the United States. The result is a wide-ranging, richly informed inquiry about Europe's rise from the ashes and the choices it must make to inspire rather than repulse the world around it. Richard Weisberg, Cardozo Law School, New York, US Europeans have attempted for some time to develop a human rights talk and now European intellectuals are talking about the need to construct European narratives. This book illustrates that these narratives will emphasize a political and cultural vision for a multi-ethnic and more cosmopolitan Europe. The narratives evolve around human rights, partly in the hope that they might function as a cultural glue in an increasingly multi-ethnic Europe, and partly because they are intimately connected with that part of enlightenment thinking that sought to promote democracy and the rule of law. Helle Porsdam discusses the development of human rights as a discourse of atonement for Europeans a discourse which has the potential to become a shared, transatlantic discourse. Using an interdisciplinary approach, this book will be an invaluable research tool for postgraduate students and scholars within the fields of law, history, political science and international relations.

øThe highly-regarded authors of this important work explore the constitutional, institutional, and cultural barriers to harmonisation of the copyright laws of the United States and the European Union. They consider these matters in the real world trans  
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Information Law Series Volume 45 In a copyright system characterised by broad and long-lasting exclusive rights, exceptions provide a vital counterweight, especially in times of rampant technological change. The EU's controversial InfoSoc Directive – now two decades old – lists exceptions in which an unauthorised user will not have infringed the rightholder's copyright. To reform or not to reform this legal framework – that is the question considered in great depth in this book, providing detailed theoretical and normative analysis of the Directive, the national and CJEU case law arising from it, and meticulously thought-out proposals for change. By breaking down the concepts of 'flexibility' and 'legal certainty' into a set of policy objectives and assessment criteria, the author thoroughly examines such core aspects of the framework as the following: the justifications for exceptions, e.g., safeguarding the fundamental rights of users; the regimes established in legislation and case law for key exceptions; the need to promote technological development; the importance of avoiding re-fragmentation caused by uncoordinated national legislative responses to technological changes; the legal status of digital technologies that rely on unauthorised uses of copyright-protected works; and the pros and cons of importing a fair use standard modelled after that of the United States. In an invaluable concluding chapter, the author puts forward a set of reform proposals, articulating their advantages and responding to potential objections. In doing so, the chapter also identifies, synthesises and critically examines the various proposals that have been advanced in the academic literature. In its decisive contribution to the debate around the InfoSoc Directive and the rules that guide its

implementation, interpretation, and application, this book isolates the contentious structural features of the framework and examines them in a critical fashion. The author's systematised review of scholarly and policymaking proposals for increasing flexibility and legal certainty in EU copyright law will be welcomed by practitioners in intellectual property law and other areas of economic law, as well as by interested policymakers and scholars.

Rules regulating access to knowledge are no longer the exclusive province of lawyers and policymakers and instead command the attention of anthropologists, economists, literary theorists, political scientists, artists, historians, and cultural critics. This burgeoning interdisciplinary interest in "intellectual property" has also expanded beyond the conventional categories of patent, copyright, and trademark to encompass a diverse array of topics ranging from traditional knowledge to international trade. Though recognition of the central role played by "knowledge economies" has increased, there is a special urgency associated with present-day inquiries into where rights to information come from, how they are justified, and the ways in which they are deployed. *Making and Unmaking Intellectual Property*, edited by Mario Biagioli, Peter Jaszi, and Martha Woodmansee, presents a range of diverse—and even conflicting—contemporary perspectives on intellectual property rights and the contested sources of authority associated with them. Examining fundamental concepts and challenging conventional narratives—including those centered around authorship, invention, and the public domain—this book provides a rich introduction to an important intersection of law, culture, and material production.

This book, the third in the series, follows the themes considered in the first two volumes and brings together perspectives on copyright from law, politics, economics, cultural studies and social theory in an effort to forge a truly coherent and meaningful agenda for the future of copyright. It comprises thoughtful, critical and often challenging contributions from an international, multidisciplinary network of scholars.

Copyright law is commonly described as carrying out a balancing act between the interests of authors or owners and those of the public. While much academic work, both historical and contemporary, has been done on the authorship side of the equation, this book examines the notion of public interest, and the way that concepts of public interest and the rhetoric surrounding it have been involved in shaping the law of copyright. While many histories of copyright focus on the eighteenth century, this book's main concern is with the period after 1774. The nineteenth century was the period during which the boundaries of copyright, as we know it today, were drawn and ideas of "public interest" were integral to this process, but in different, and complex, ways. The book engages with this complexity by moving beyond debates about the appropriate duration of copyright, and considers the development of other important features of copyright law, such as the requirement of legal deposit, the principle that some works will not be subject to copyright protection on the grounds of public interest, and the law of infringement. While the focus of the book is on literary copyright, it also traces the expansion of copyright to cover new subject matters, such as music, dramatic works and lectures. The book concludes by examining the making of the 1911 Imperial Copyright Act – the statute upon which the law of copyright in Britain, and in all former British colonies, is based. The history traced in this book has considerable relevance to

debates over the scope of copyright law in the present day; it emphasises the contingency and complexity of copyright law's development and current shape, as well as encouraging a critical approach to the justifications for copyright law.

This monograph conducts a comprehensive analysis of the EU right of communication to the public, one of the exclusive rights under EU copyright law, and provides an alternative framework for its interpretation and application. The present state of the law is unsatisfactory; there is uncertainty in the *acquis communautaire* and courts at the EU and domestic levels have struggled to apply the right. Therefore, the book identifies the problems with the existing right of communication to the public and proposes recommendations for reform. In addition to reforming the scope of the right of communication to the public, the jurisdiction and applicable law in relation to the right are analysed and changes are recommended. Thus, the book covers both the scope and practicalities of a coherent and effective reform of the right. In light of the continuing development and accompanying tribulations with this right at the EU level, this book provides a topical and timely analysis that will be of interest to academics and practitioners working on EU copyright law. Cited in Opinion of Advocate General Henrik Saugmandsgaard Øe, joined Cases C-682/18 and C-683/18, *Frank Peterson v Google LLC, YouTube LLC, YouTube Inc., Google Germany GmbH and Elsevier Inc. v Cyando AG*, ECLI:EU:C:2020:586, Court of Justice of the European Union, 16 July 2020.

Communications policy has been a fertile area for testing theories of regulation, subsidy and incentives, free speech, political participation, and the public interest. The capacities of new communications technology have changed markedly since much of the governing legislation in the communications field was written. Such a change is likely to continue and have considerable impact on specific communications sectors and in communications policy. This two volume set of analyses undertakes a review of telecommunications policy in transition—of actions taken and not taken, of goals pursued or ignored, of the adequacy of policy vehicles and their strengths and weaknesses. The authors evaluate three categories of policy problems: those of concept, scope, and judgment in communications policy; those specific to media industries and forces affecting them; and those concerning wider public policy concerns intersecting with communication.

A very helpful and accessible collection of contemporary issues in digital copyright law. . . Rimmer's book is quite possibly the most enjoyable and easy to read guide to selected issues of digital copyright law on the market today. . . Its core strength is undoubtedly its accessibility it is a pleasure to read. Martin Arthur Kuppens, *Journal of Intellectual Property Law and Practice* Matthew Rimmer's book provides much needed insight into the current status of digital copyright and its relationship to the general purchasing public. . . This book, which has a structure that flows with concinnity and concision, makes it easy to navigate some of the most complicated and controversial issues. Lisa Wong, *Osgoode Hall Law Journal* This engaging account of US copyright law (and copyright wars) is thorough and informative. Following a comprehensive and compelling introduction, encompassing a literature review and outline of the methodology and arguments to be adopted. . . His deep understanding of the subject matter, as well as his profound empathy with consumers, are evident throughout the work; the book will, no doubt, foster a similar interest in another generation of copyright law scholars. Louise Buckingham, *Copyright Reporter* Digital Copyright and the Consumer Revolution is a very important and timely book. . . and is a crucial *vade mecum* on the ever evolving global maze of case law and copyright reform. Colin Steele, *Australian Library Journal* It will most definitely prove to be an indispensable tool for researchers

concerned with recent legal developments in the copyright field, both in America and Australia. Rimmer's *Hands Off My iPod* is a comprehensive and detailed analysis of current problems facing copyright holders as the struggle (and often fumble) to find a balance between profiting off their property and keeping the newly-powerful, increasingly agile user happy. Adam Sulewski, *Journal of High Technology Law* Rimmer brings the tension between law and technology to life in this important and accessible work. *Digital Copyright and the Consumer Revolution* helps make sense of the global maze of caselaw and copyright reform that extend from San Francisco to Sydney. The book provides a terrific guide to the world's thorniest digital legal issues as Rimmer demonstrates how the consumer interest is frequently lost in the crossfire. Michael A. Geist, the Canada Research Chair of Internet and E-Commerce Law, the University of Ottawa, Canada This book documents and evaluates the growing consumer revolution against digital copyright law, and makes a unique theoretical contribution to the debate surrounding this issue. With a focus on recent US copyright law, the book charts the consumer rebellion against the Sonny Bono Copyright Term Extension Act 1998 (US) and the Digital Millennium Copyright Act 1998 (US). The author explores the significance of key judicial rulings and considers legal controversies over new technologies, such as the iPod, TiVo, Sony Playstation II, Google Book Search, and peer-to-peer networks. The book also highlights cultural developments, such as the emergence of digital sampling and mash-ups, the construction of the BBC Creative Archive, and the evolution of the Creative Commons. *Digital Copyright and the Consumer Revolution* will be of prime interest to academics, law students and lawyers interested in the ramifications of copyright law, as well as policymakers given its focus upon recent legislative developments and reform proposals. The book will also appeal to librarians, information managers, creative artists, consumers, technology developers, and other users of copyright material.

Find out what's new and what's hot in your field with this invaluable guide to the most important, current technical services issues and resources. This easy-to-use source guides you to valuable, recent information essential for success.

Automatic biometrics recognition techniques are increasingly important in corporate and public security systems and have increased in methods due to rapid field development. This book discusses classic behavioral biometrics as well as collects the latest advances in techniques, theoretical approaches, and dynamic applications. This future-looking book is an important reference tool for researchers, practitioners, academicians, and technologists. While there are existing books that focus on physiological biometrics or algorithmic approaches deployed in biometrics, this book addresses a gap in the existing literature for a text that is solely dedicated to the topic of behavioral biometrics.

This three-volume set is a guide to the implementation of the U.N. Convention on the Law of the Sea at the international level. Coverage explores areas of maritime laws and regulations to deal with issues such as boundaries, fishing, navigation, shipping, pollution, environmental protection, marine scientific research, and piracy. Covers issues such as: Territorial sea Straits Exclusive economic and fishery zones Continental shelf High Seas Land-locked States Security and disarmament Crimes at sea Archaeological and historical objects Drawing on new studies from major European countries and Australia, this exciting collection extends the ongoing debate on falling crime rates from the perspective of criminal opportunity or routine activity theory. It analyses the effect of post WW2 crime booms which triggered a universal improvement in security across the Western world.

Academics and practitioners are currently divided on the issues involved in permitting and regulating the commercial exploitation of publicity. 'Publicity' is the practice of using an individual's name, image and reputation to promote products or to provide media coverage, often in gossip magazines and the tabloid press. This book provides a theoretical and multi-jurisdictional review of the nature of publicity practice and

its appropriate legal regulation. The book includes a detailed exploration of the justifications advanced in favour of publicity rights and those that are advanced against. Removing the analysis from any one jurisdiction the book examines current academic and judicial perspectives on publicity rights in a range of jurisdictions, drawing out similarities and differences, and revealing a picture of current thinking and practice which is intellectually incoherent. By then clearly defining the practice of publicity and examining justifications for and against, the author is able to bring the nature and shape of the right of publicity into much sharper focus. The book includes a careful consideration of possible limits to any right of publicity, the potential for assigning publicity rights or transferring them post mortem, and whether defences can be offered. The author concludes by arguing for a publicity right which provides a degree of protection for the individual but which is significantly curtailed to recognise valid competing interests. This is a work which will be of interest to academics and practitioners working in the field of publicity, privacy and intellectual property.

Since the birth of criminal copyright in the nineteenth century, the copyright system has blurred the distinction between civil and criminal infringements. Today, in many jurisdictions, infringement of copyrighted materials can result in punitive fines and even incarceration. In this illuminating book, Eldar Haber analyses the circumstances, justifications, and ramifications of the criminalization process and tells the story of how a legal right in the private enforcement realm has become over-criminalized. He traces the origins of criminal copyright legislation and follows the movement of copyright criminalization and enforcement on local and global scales. This important work should be read by anyone concerned with the future of copyright and intellectual property in the digital era.

The promising new directions for research and applications described here include alternative model specifications, estimators and tests for regression models and new perspectives on dealing with spatial effects in models with limited dependent variables and space-time data. Building on earlier work in the anthropology of law and taking a critical stance toward it, June Starr and Jane F. Collier ask, "Should social anthropologists continue to isolate the 'legal' as a separate field of study?" To answer this question, they confront critics of legal anthropology who suggest that the subfield is dying and advocate a reintegration of legal anthropology into a renewed general anthropology. Chapters by anthropologists, sociologists, and law professors, using anthropological rather than legal methodologies, provide original analyses of particular legal developments. Some contributors adopt an interpretative approach, focusing on law as a system of meaning; others adopt a materialistic approach, analyzing the economic and political forces that historically shaped relations between social groups. Contributors include Said Armir Arjomand, Anton Blok, Bernard Cohn, George Collier, Carol Greenhouse, Sally Falk Moore, Laura Nader, June Nash, Lawrence Rosen, June Starr, and Joan Vincent.

Dedicated to the memory of a path-breaking international lawyer, Thomas Wälde, this volume offers an eclectic mix of contributions from leading academics and practitioners. Topics include: foreign direct investment, dispute settlement, corporate responsibility, economic development, natural resources, and private international law.

Addressing the most exciting and challenging areas in the profession, this text will be invaluable to any professional looking ahead to the future of special collections and related cultural heritage work. • Covers a broad range of special collections work that shares perspectives from many different practitioners and experts in the field • Updates the notion of special collections to the wide range of institutions and contexts where they exist today, illustrating non-traditional opportunities for special collections work • Expands job opportunities for readers by providing an overview of the most compelling and exciting trends and challenges in the changing field of special collections

This book brings together leading scholars and practitioners, to explore contemporary challenges in the field of European private law, identify

problems, and propose solutions. The first section reassesses the existing theoretical framework and traditional legal scholarship on which European private law has developed. The book then goes on to examine important and practical topics of geo-blocking and standardisation in the context of recent legislative developments and the CJEU case law. The third section assesses the challenging subject of adequate regulation of online platforms and sharing economy that has been continuously addressed in the recent years by European private law. A fourth section deals with the regulatory challenges brought by an increasing development of artificial intelligence and blockchain technology and the question of liability. The final section examines recent European legislative developments in the area of digital goods and digital content and identifies potential future policy directions in which the European private law may develop in the future.

This in-depth book explores the changing role of comparative law in an era of Europeanisation and globalisation. It explains how national law coexists and interacts with supranational and international law and how legal rules are produced by a variety of institutions alongside and beyond the nation-state. The book combines both theoretical and practically oriented contributions in the areas of law and development, comparative constitutional law, as well as comparative private and economic law. It offers a plurality of perspectives on the theory and methods of comparative law as a legal discipline, but also on comparative law when concretely applied in projects of legal aid, harmonisation of law and legal reform. Offering a multi-disciplinary perspective, this book will appeal to researchers and policymakers in international organisations. It will also serve as a valuable resource for advanced level courses on comparative law, and on law reform and legal aid. Addresses issues of concern in the area of women's studies, aiming to offer fresh perspectives on sexuality, paid work, the development process, equal opportunities legislation, lesbian history and women's writing. The book is also concerned with the politics and practice of women's studies.

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