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Eleonora Rosati

Fairness, Morality and Ordre Public in Intellectual Property Daniel J.Gervais,2020-04-24 This incisive book explores the ways in which the major notions of fairness, morality and ordre public can be used both to justify and to limit intellectual property rights. Written by an international team of experts in the field, it provides varied and sometimes divergent perspectives on how these notions are applied to different rights and in different contexts.

Antitrust Analysis of Online Sales Platforms & Copyright Limitations and Exceptions Bruce Kilpatrick,Pierre Kobel,Pranvera Këllezi,2018-07-03 This book gathers international and national reports from across the globe on key questions in the field of antitrust and intellectual property. The first part discusses the application of competition law to online sales platforms, which is increasingly a focus for anti-trust authorities around the world. A detailed international report explores which are the major challenges for competition law generated by the growth of online platforms. It provides an excellent comparative study of this complex and challenging subject. The second part of the book gathers contributions from various jurisdictions on the topic “To what extent do current exclusions and limitations to copyright strike a fair balance between the rights of owners and fair use by private individuals and others ? This section presents an international report, which offers an unparalleled comparative analysis of this topic, bringing together common themes and contrasting the various national provisions dealing with exceptions to copyright, amongst other things. The book also includes the resolutions passed by the General Assembly of the International League of Competition Law (LIDC) following a debate on each of these topics, which include proposed solutions and recommendations. The LIDC is a long-standing international association that focuses on the interface between competition law and intellectual property law, including unfair competition issues.

Internet Law Michael O'Doherty,2020-07-30 Shortlisted for DSBA Law Book of the Year Award 2020 The law in Ireland regarding causes of action involving the internet is a rapidly growing area of law and litigation. This book examines issues such as privacy, data protection, defamation, data protection, crime, intellectual property and employment, all through the prism of online behaviour. This book examines key pieces of legislation such as the E-Commerce Directive, GDPR, and Defamation Act 2009; forthcoming legislation such as the Digital Content Directive and proposed Irish legislation to combat harmful online content. With Ireland being the European base of many international IT and tech firms such as Google, Facebook, LinkedIn, Amazon and Twitter, it is anticipated that the Irish courts will be the forum for many important cases in the near future. Internet Law provides a comprehensive overview of the state of the law in Ireland, EU Member States, and other common law countries such as Canada, Australia and New Zealand. And in such a fast-developing area of law, the book also anticipates many of the issues that will face courts in the near future. Key cases that this book considers include: Data protection: Google Spain [2014] – an in depth review of what exactly this case established, and the manner in which it has been interpreted in subsequent case law. Lloyd v Google [2019] – in which the English Court of Appeal made a significant finding about the availability of damages for non-pecuniary loss arising from the breach of a person's data protection rights. Defamation: Monroe v Hopkins [2017] - the first UK case to consider at length defamation on Twitter, with an in-depth analysis of meaning, identification and how to assess the degree of publication via that medium. Eva Glawischnig-Piesczek v Facebook [2019] – a significant recent decision of the CJEU on the liability of social media platforms for content posted by its users. Copyright: Sony Music v UPC [2018] - a Court of Appeal judgment on the duties of internet service providers to restrict the illegal downloading of copyright material by its customers. Land Nordrhein-Westfalen v Renckhoff [2018] - a recent decision of the CJEU on the nature of copyright protection attaching to photographs which are uploaded to the internet. Trade Marks: Interflora Inc v Marks and Spencer plc [2011] - a decision of the CJEU which analyses the rights of an advertiser to use the trade mark of a rival company when promoting its services on the Google Ads service. Employment: Barbulescu v Romania [2017] - a significant CJEU decision which sets out the restrictions to an employer's right to monitor the electronic communications of its employees. Privacy/ Harassment: CG v Facebook [2016], in which the Northern Ireland Court of Appeal considered the tort of harassment via social media, and the potential liability of Facebook for comments made by a user following notification of the alleged harassment. Evidence: Martin & Ors v Gabriele Giambrone P/A Giambrone & Law [2013]- one of several cases to consider the admissibility of evidence taken by a defendant from a plaintiff's social media account in order to question the latter's testimony.

Intellectual Property Law in Ireland Robert Clark,Shane Smyth,Niamh Hall,2017-02-03 Intellectual Property Law in Ireland, 4th edition is a detailed guide to patents, copyright and trade mark law. It covers all relevant European legislation and traces its weaving into Irish law. It details European case law together with relevant case law from commonwealth countries, as well as detailing any Irish cases on the three areas and also covers design law. It outlines the workings of the patents, copyright and trade mark offices in Ireland. It is laid out in a practical and user-friendly way, with each section separate, but cross-referenced where necessary. Since the previous edition, only six years ago, there have been a number of fundamental changes to a number of aspects of intellectual property law, which make this new edition essential. The areas that have been expanded and updated in this edition include: - The voluminous European case law on IP issues arising since 2010 - The impact of the new EU Trade Mark Regulation No 2015/2424 - Supreme Court decisions on the law of passing off (McCambridge Ltd v Joseph Brennan Bakeries) and unregistered design rights (Karen Millen Fashions v Dunnes Stores) Along with these, the book looks to future and the developments on the horizon. It tracks the ongoing domestic copyright law and Digital Single Market, as well as discussing the potential benefits of the the Trade Secrets Directive (EU) 2016/943

Drafting Copyright Exceptions Emily Hudson,2020-04-02 This is a detailed account of interpretative practices and the 'law in action' that draws lessons for the drafting of copyright exceptions.

Sport: Law and Practice Adam Lewis KC,Jonathan Taylor KC,2021-03-15 Sport: Law and Practice, Fourth Edition is the leading legal title covering sports law and practice in the UK, and at the Court of Arbitration for Sport. It serves both as a comprehensive statement of applicable law and precedent, and as a very practical guide to circumnavigating a complex sector. The new edition retains and updates all of the key chapters from previous editions, including the extended sections on challenges to the actions of sports governing bodies, and on anti-doping regulation and enforcement (with an introduction to the new 2021 World Anti-Doping Code). There are important updates to the chapters on Regulating Financial Fair Play, Misconduct, Safeguarding in Sport, the Court of Arbitration for Sport, and Media Rights and Sport. The Fourth Edition also adds brand new chapters dealing with: -Effective sports regulation (including the first ever comprehensive discussions of the

'general principles of law' applied by CAS panels in determining challenges to sports regulations, as well as of the principles of interpretation of sports regulations). -Best practice in sports governance (describing developments such as the strengthening of the competence and independence of boards and the emergence of independent integrity units). -Data protection law and sport (including discussion of the provisions of the Data Protection Act 2018 that facilitate the sharing of personal data by sports bodies for integrity-related purposes). -Exploiting commercially valuable sports data (explaining how sports rights-holders can fashion commercial agreements to meet the demand for sports data from the betting industry and others). -ESports (the first comprehensive treatment of the legal and practical principles underlying the regulation and commercial exploitation of the increasingly important ESports sector). Readers will also benefit from practice tips, precedent clauses, detailed explanations of key practical issues, and step-by-step analysis. This is an essential title for all sports law practitioners (solicitors and barristers, common law and civil lawyers), sports governing bodies, event organisers, clubs, participants, sports agencies and commercial partners, arbitrators, universities, and students.

Intellectual Property Law Tanya Aplin,Tanya Frances Aplin,Jennifer Davis,2021 This work provides a full and clear exposition of the fundamentals of intellectual property law in the UK. It combines excerpts from cases and a broad range of secondary works with insightful commentary from the authors which will situate the law within a wider international, comparative and political context.

Sports Law Mark James,2017-04-26 This textbook provides a comprehensive overview of the ways in which the law has impacted on how sport is played, administered and consumed. The author writes in a clear and engaging manner, tracing the origins and sources of this rapidly evolving subject and drawing examples from a wide range of professional and amateur sports to illustrate the important current debates and topics of interest. The book covers a wide-range of topics from participant and non-participant liability, fighting sports and their legality, and liability for stadium safety and disasters. The final section of the book takes in the very latest developments in mass-event sport and the growing but fundamental area of sports commercialisation. New to this Edition: - Fully updated and includes analyses of the Pechstein and Sharapova decisions - Includes details on the state aid rulings on financial support for Spanish and Dutch football clubs - The author includes a review of the Rio 2016 Olympics

Ticket touting Great Britain: Parliament: House of Commons: Culture, Media and Sport Committee,2008-01-10 Surveys the whole ticket market, attitudes to secondary selling, the scale of the secondary market, legislation relevant to secondary selling, and what the industries have done to tackle touting. The Committee agrees with the Department for Culture, Media and Sport that regulatory intervention should only be introduced as a last resort.

The Economist ,2007

Copyright and the Court of Justice of the European Union Eleonora Rosati,2023-10-05 First released in early 2019, Copyright and the Court of Justice of the European Union remains the only book exclusively devoted to the case law of the Court of Justice of the European Union (CJEU) in the EU copyright field. Fully updated for the new edition, the book explains the Court's role and action in the field of EU copyright law and provides readers with a sense of the direction of the Court's jurisprudence through an exercise of 'tidying up' and rationalizing the rulings issued so far. In his foreword to the first edition, First Advocate General Maciej Szpunar praised the book's 'profound analysis' of the EU copyright protection and CJEU decisions, which in his view, 'unveiled new information, perhaps never considered, even by members of the Court'. The new edition captures all the significant developments in EU copyright law that have occurred since 2019. Aside from macro-events such as the UK's now completed departure from the EU and the adoption of the Digital Single Market Directive (2019/790), seminal judgments have been issued by the CJEU which touch upon all the main foundational aspects of EU copyright. This book is structured in three parts. The first part is about the role of the CJEU as an EU institution. Following a discussion of the impact of CJEU interpretation of EU copyright provisions (notably their pre-emptive effect on individual EU Member States' freedom), the second part is concerned with CJEU action and vision in respect of four key areas of copyright and related rights: the requirements for protection, construction of exclusive rights, exceptions and limitations, and enforcement. The final part focuses on the legacy of CJEU case law broadly intended, having regard to both individual countries' copyright laws (specifically: the UK) and recent EU copyright reform discourse, notably in the context of the DSM Directive. Timely and engaging, Copyright and the Court of Justice of the European Union provides novel insights into the activity of the CJEU in the copyright field and reflects on the resulting implications for the present and future of EU copyright.

Commonwealth Caribbean Sports Law Jason Haynes,J. Tyrone Marcus,2019-01-15 Sports Law has quickly developed into an accepted area of academic study and practice in the legal profession globally. In Europe and North America, Sports Law has been very much a part of the legal landscape for about four decades, while in more recent times, it has blossomed in other geographic regions, including the Commonwealth Caribbean. This book recognizes the rapid evolution of Sports Law and seeks to embrace its relevance to the region. This book offers guidance, instruction and legal perspectives to students, athletes, those responsible for the administration of sport, the adjudication of sports-related disputes and the representation of athletes in the Caribbean. It addresses numerous important themes from a doctrinal, socio-legal and comparative perspective, including sports governance, sports contracts, intellectual property rights and doping in sport, among other thought-provoking issues which touch and concern sport in the Commonwealth Caribbean. As part of the well-established Routledge Commonwealth Caribbean Law Series, this book adds to the Caribbean-centric jurisprudence that has been a welcome development across the region. With this new book, the authors assimilate the applicable case law and legislation into one location in order to facilitate an easier consumption of the legal scholarship in this increasingly important area of law.

Digital Copyright Simon Stokes,2019-01-24 The first edition of this book in 2002 was the first UK text to examine digital copyright together with related areas such as performers' rights, moral rights, database rights and competition law as a subject in its own right. Now in its fifth edition, the book has been substantially updated and revised to take account of legal and policy developments in copyright law and related areas, the new UK copyright exceptions, recent CJEU cases, the regulation of Collective Management Organisations, orphan works, and developments in EU copyright legislation and the EU's Digital Single Market Strategy. It also contains new sections on big data and data mining, the impact of artificial intelligence and blockchain on copyright, and the future for UK copyright after Brexit.

The book helps put digital copyright law and policy into perspective and provides practical guidance for those creating or exploiting digital content or technology, whether in academia, the software, information, publishing and creative industries, or other areas of the economy. The focus of Digital Copyright is on the specifics of the law in this area together with practical aspects. Both academics and practitioners will find the book an invaluable guide to this ever-expanding field of law. Review of Previous Edition: 'Overall, Digital Copyright is well worth the relatively modest price for a book that will be stimulating for anyone who has to think about copyright in the digital realm.' Francis Davey, Journal of Intellectual Property Law and Practice

Holyoak and Torremans Intellectual Property Law Paul Torremans, 2019 Holyoak and Torremans Intellectual Property Law provides readers with a clear introduction to UK intellectual property law, whilst carefully placing the law in its global context and acknowledging the influence of EU and other international jurisdictions over its development. The book examines the methods and reasoning behind key statutory and case decisions, and provides readers with real life examples of intellectual property law in action, helping to bring the subject to life. Recent developments within the law relating to biotechnology patenting, IT and internet, and trademark, imaging and character rights are explored, providing readers with a cutting edge analysis of the subject. Chapter introductions and concluding overviews help to set the scene and provide a succinct summary of the topic areas, whilst lists of annotated further reading offer the perfect starting point for those who wish to explore a topic further.

Intellectual Property Law Stavroula Karapapa, Luke McDonagh, 2019-05-09 A uniquely practical approach to intellectual property law: unfold the problem, reveal the law, apply to life. Using this new and innovative textbook, students are given a problem scenario to unfold; as they do this they will learn to understand the key questions and issues surrounding each area of intellectual property law. As each problem is explored, clear explanations reveal the central legal concepts underpinning the relevant topic. Further illustrations and references to the problem apply the law, enabling students to see for themselves how the law interacts with everyday life and business and giving them a deep and practical understanding. Online Resources A range of additional online resources are provided online, including guidance on how to approach the questions contained in the book, regular updates on legal developments, links to useful websites, and examples of relevant documents.

McNae's Essential Law for Journalists Mike Dodd, Mark Hanna, 2018-06-14 The definitive media law guide for journalists and students alike. The only media law text endorsed by the NCTJ, McNae's offers unrivalled practical guidance on a wide range of reporting situations - an invaluable tool throughout your journalism career.

Research Handbook on Intellectual Property in Media and Entertainment Megan Richardson, Sam Ricketson, 2017-01-27 The phenomenal growth of the media and entertainment industries has contributed to a fragmented approach to intellectual property rights. Written by a range of experts in the field, this Handbook deals with contemporary aspects of intellectual property law (IP), and examines how they relate to different facets of media and entertainment.

McNae's Essential Law for Journalists Sian Harrison, 2022-07-07 Affectionately known simply as McNae's, this book prevails as journalism's most succinct authority on media law since its inception in 1954. The new edition captures the essence of this hotly debated and evolving area of law. The authors' expertise in media reporting and teaching ensures McNae's is accessible for students and journalists, giving you the essentials and encouraging intellectual acuity as the complexities of the law are laid bare. McNae's practical approach includes features that highlight important information, such as case detail, need-to-know points, and cross references that explore how different elements of the law interact with each other. Published in partnership with the National Council for the Training of Journalists, McNae's is an indispensable media law guide that imbues confidence in students and supports and assures journalists undertaking their everyday work. Digital formats and resources The twenty-sixth edition is available for students and institutions to purchase in a variety of formats, and is supported with online resources. - The e-book offers a mobile experience and convenient access along with functionality tools, navigation features, and links that offer extra learning support:

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Intellectual Property Law Concentrate Tim Press, 2017-08-24 Intellectual Property Law Concentrate is written and designed to help you succeed. Accurate and reliable, Concentrate guides help focus your revision and maximise your exam performance. Each guide includes revision tips, advice on how to achieve extra marks, and a thorough and focused breakdown of the key topics and cases.

McNae's Essential Law for Journalists Mark Hanna, Mike Dodd, 2020-06-26 Precise and lucid in its treatment of practical detail, McNae's Essential Law for Journalists is the unrivalled handbook for professionals and students of journalism. Including pithy summaries, clear cross-references, and hands-on practical advice, McNae's provides students with authoritative coverage of key media law topics, as well as meeting the needs of busy journalists who need quick and reliable answers to the questions they face in their day-to-day work. Published in partnership with the National Council for the Training of Journalists as the elemental text for students, and widely used in newsrooms across the UK, McNae's continues to successfully distil the law and make it manageable. Digital formats and resources The twenty-fifth edition is available for students and institutions to purchase in a variety of formats, and is supported with online resources. - The e-book offers a mobile experience and convenient access along with functionality tools, navigation features, and links that offer extra learning support: www.oxfordtextbooks.co.uk/ebooks - Comprehensive online resources accompany the text, at www.mcnaes.com, including regular updates from the authors to keep readers abreast of the law, additional material on important topics, and self-test questions to solidify students' understanding.

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