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Property Law And The Public Interest

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Property Law And The Public Interest:

Property Law and the Public Interest Joseph Gordon Hylton, 2007-01-01 **Property Law and the Public Interest** David Callies, Daniel Mandelker, J. Gordon Hylton, 2016-05 This casebook surveys the law of both personal and real property from the perspective of public and private rights and restrictions on things and land After establishing a framework within which to define property the text covers not only traditional topics like conveyancing estates and future interests leaseholds and inherent and public limitations on use but also the applicability of such limitations in modern contexts such as intellectual property housing discrimination public lands and environmental protection with brief nods to emerging areas like hydraulic fracturing and GMO regulation **The Routledge Handbook of Property, Law and Society** Nicole Graham, Margaret Davies, Lee Godden, 2022-11-14 This handbook brings together diverse perspectives major topics and multiple approaches to one of the biggest legal institutions in society property Property touches on many fundamental human questions It involves decisions about power economy morality work and ecology It also involves ideas about where humans fit in the world and how humans relate to more than human life This book will ask in myriad ways such questions as what property means what kinds of property there are what is and should be the relationship between owned and owner and what is the impact of different forms of property on life in this world Drawing on a range of socio legal and empirical methodologies renowned scholars and rising stars in property from around the world present current issues and map future directions in research Coming from the place of law but reaching out through cognate disciplines this handbook provides a comprehensive and accessible survey of current research at the interface of property society and the environment This handbook will appeal to students and researchers across a range of disciplines including law sociology geography history and economics *Property Law and the Public Interest* David L. Callies, Daniel R. Mandelker, Joseph Gordon Hylton, 2016 This casebook surveys the law of both personal and real property from the perspective of public and private rights and restrictions on things and land After establishing a framework within which to define property the text covers not only traditional topics like conveyancing estates and future interests leaseholds and inherent and public limitations on use but also the applicability of such limitations in modern contexts such as intellectual property housing discrimination public lands and environmental protection with brief nods to emerging areas like hydraulic fracturing and GMO regulation Copyright Law and the Public Interest in the Nineteenth Century Isabella Alexander, 2010-03-03 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

Property Law in Namibia (2nd edition) Samuel K. Amoo, 2024-01-31 Property Law in Namibia provides an autochthonous discussion of property law in Namibia It does not only capture the constitutional statutory and common law sources of property law in Namibia but it also covers currently topical subjects such as property rights of women and land reform in Namibia The publication is meant to be utilised by law academics property law lecturers legal practitioners and conveyancers law students students pursuing specialised land related programmes such as land use planning and officials in government ministries Property Law in Namibia contains chapters on traditional concepts of property law such as the scope and nature of the law of property classifications of things real rights and personal rights ownership and possession Chapter 9 is devoted entirely to remedies which is a departure from the norm but where relevant appropriate remedies are indicated in the specific parts of the text In order to give prominence to Namibian property jurisprudence topics on the genesis of the land tenure systems of Namibia land reform and property rights of women in Namibia have either been dealt with in separate chapters or been included as parts of other chapters This publication is meant to be utilised by law academics property law lecturers legal practitioners and conveyancers law students students pursuing specialised land related programmes such as land use planning and officials

Copyright and the Public Interest in China G. H. Tang, 2011 This brilliant amalgam of law history social analysis and some Confucian philosophy argues for a distinctive Chinese approach to copyright and the public interest aligning not only the Western commitment to individual creativity but also supporting public access to and use of works without the consent of the copyright holder The argument involves fascinating analysis not only of evolving Chinese attitudes to education libraries archives and censorship but also of the profound significance of the Internet in China today Hector MacQueen University of Edinburgh UK Guan Hong Tang s book offers a fresh insightful and scholarly treatment of the relationship between the law of copyright and the public interest in China Copyright legislation in China is a novelty dating from 1990 and Dr Tang provides a vivid overview of the historical and cultural tensions between traditional Chinese Confucianism and the very concept of copyright tensions which more recent legislation and case law seek to address Gillian

Davies Hogarth Chambers UK Guan Hong Tang expertly highlights how the multidimensional concept of public interest has influenced the development and limitations of Chinese copyright Since 1990 China has awarded copyright individual rights but also provides for public non criminal enforcement The author reveals that pressures of development globalisation and participation in a world economy have hastened the loss of public interest from copyright However for a socialist country placing the common ahead of the individual interest the public interest also constitutes a phenomenological tool with which to limit copyright The author also discusses how the rise of the Internet which has had a major social and economic impact on China raises problems for Chinese copyright law Comparing Chinese copyright law with the USA and the UK topical issues are presented in this unique book including those arising within education library and archives sectors This insightful book will strongly appeal to students and researchers in IP law comparative law Chinese studies international commerce and information science It will also prove invaluable for lawyers and consultants with expertise in IP and China *The Oxford Handbook of Intellectual Property Law* Rochelle C. Dreyfuss, Justine Pila, 2018-04-12 We live in an age in which expressive informational and technological subject matter are becoming increasingly important Intellectual property is the primary means by which the law seeks to regulate such subject matter It aims to promote innovation and creativity and in doing so to support solutions to global environmental and health problems as well as freedom of expression and democracy It also seeks to stimulate economic growth and competition accounting for its centrality to EU Internal Market and international trade and development policies Additionally it is of enormous and increasing importance to business As a result there is a substantial and ever growing interest in intellectual property law across all spheres of industry and social policy including an interest in its legal principles its social and normative foundations and its place and operation in the political economy This handbook written by leading academics and practitioners from the field of intellectual property law and suitable for both a specialist legal readership and an intelligent but non specialist legal and non legal readership provides a comprehensive account of the following areas The foundations of IP law including its emergence and development in different jurisdictions and regions The substantive rules and principles of IP and Important issues arising from the existence and operation of IP in the political economy Modern Studies in Property Law - Volume 2 Elizabeth Cooke, 2003-05-14 The Modern Studies in Property Law series is a collection of the papers given at the biennial conferences of the Centre for Property Law at the University of Reading Volume II contains the proceedings from the conference in 2002 and includes a wide range of papers from both English and international speakers covering many of the most topical issues within the law of property **Rural Land Takings Law in Modern China** Chun Peng, 2018-04-19 One of the most pressing issues in contemporary China is the massive rural land takings that have taken place at a scale unprecedented in human history Expropriation of land has dispossessed and displaced millions for several decades despite the protection of property rights in the Chinese constitution Combining meticulous doctrinal analysis with in depth historical investigation Chun Peng tracks the origin and evolution of

China's rural land takings law over the twentieth century and demonstrates an enduring tradition of land takings for state led social transformation under which the takings law is designed to be power confirming. With changed socio political circumstances and a new rights respecting constitutional agenda a rebalance of the law is now underway but only within existing parameters. Peng provides a piercing analysis of how land has been used by the largest developing country in the world to develop itself at what costs and where the future might be.

Land Law and Disputes in Asia Yuka

Kaneko, Narufumi Kadomatsu, Brian Z. Tamanaha, 2021-09-16 Through an in depth legal analysis by leading scholars this book searches for the exact legal causes of land related disputes in Asia within the histories legal systems and social realities of the respective countries. It consists of four main parts examining the relationship between law and development land taking in developmental stages common ownership and proposals for new approaches to land law and dispute resolution. With a combination of orthodox legal interpretations and the empirical approach of legal sociology the contributors undertake an extensive comparative legal analysis across common and civil law traditions. Most importantly they propose pathways forward for legal transformations in the pursuit of sustainable development in Asia. This book is vital contribution to the study of comparative law and especially property law in East and Southeast Asia.

Law and the Precarious Home Helen

Carr, Brendan Edgeworth, Caroline Hunter, 2018-05-17 This book explores the emergent and internationally widespread phenomenon of precariousness specifically in relation to the home. It maps the complex reality of the insecure home by examining the many ways in which precariousness is manifested in legal and social change across a number of otherwise very different jurisdictions. By applying innovative work done by socio legal scholars in other fields such as labour law and welfare law to the home *Law and the Precarious Home* offers a broader theoretical understanding of contemporary precarisation of law and society. It will enable reflections upon differential experience of home dependent upon class race and gender from a range of local national and cross national perspectives. Finally it will explore the pluralisation of ideas of home in subjective experience social reality and legal form. The answers offered in this book reflect the expertise and standing of the assembled authors who are international leaders in their field with decades of first hand practical and intellectual engagement with the area.

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Ministry (SEDM), 2020-02-06 Attach to your letters and correspondence to explain why you have no reportable income

Research Handbook on Property, Law and Theory Chris Bevan, 2024-08-06 This comprehensive Research Handbook interrogates and offers historical as well as contemporary understandings of property property law and property theory. Chapters locate the role of property in key theoretical debates and examine property's place in significant social contexts covering topics such as Indigenous property artificial intelligence cryptoassets property and the art world environmentalism and climate change.

Law and the Humanities

Austin Sarat, Matthew Anderson, Cathrine O. Frank, 2009-10-30 *Law and the Humanities* An Introduction brings together a distinguished group of scholars from law schools and an array of the

disciplines in the humanities Contributors come from the United States and abroad in recognition of the global reach of this field This book is at one and the same time a stock taking both of different national traditions and of the various modes and subjects of law and humanities scholarship It is also an effort to chart future directions for the field By reviewing and analyzing existing scholarship and providing thematic content and distinctive arguments it offers to its readers both a resource and a provocation Thus Law and the Humanities marks the maturation of this law and enterprise and will spur its further development

Land and Property Law in Countries of Common Law Oleg Igorevich Krassov ,2022 The monograph covers main aspects of the land and property law applicable in England Wales Northern Ireland British Overseas Territories Crown Dependencies some countries of the ommonwealth Caribbean the Republic of Ireland the Republic of Cyprus the Commonwealth of Australia New Zealand and island countries of Oceania the United States of America and Canada Concepts which consider legal notions land real property legal real estate meaning are analyzed Characteristics of titles to land and interests as to the land of the law landlord tenant of the concurrent ownership are given The essence of the doctrines of violating the boundaries of ownership causing private inconveniences taking possession of land by a person who does not have a title to it is revealed are considered The monograph is targeted to students graduate students and teachers of law schools employees of legislative executive and judicial authorities as well as for all those interested in land civil law and comparative legal studies

The Origin and Evolution of Investment Treaty Standards Federico Ortino,2019 This book charts the origins and development of investment protection provisions in foreign investment treaties Federico Ortino argues that these provisions revolve around three key concepts legal stability investment s value and reasonableness

Wesley Hohfeld A Century Later Shyamkrishna Balganes, Ted M. Sichel, Henry E. Smith, 2022-07-28 With newly uncovered personal papers this volume offers in depth analysis of Wesley Hohfeld s pioneering contributions to legal theory

Conceptualising Property Law Yaëll Emerich, 2018-11-30 Conceptualising Property Law offers a transsystemic and integrated approach to common law and civil law property Property law has traditionally been excluded from comparative law analysis common law and civil law property being deemed irreconcilable With this book Ya ll Emerich aims to dispel the myth that comparison between these two systems of property is impossible By establishing a dialogue between common law and civil law property it becomes clear that the two legal traditions share common ground in the way that they address legal cultural and social issues related to property and wealth

Fragmentation and the European Patent System Karen Walsh, 2022-08-11 This book provides an in depth study on current perceptions of and responses to fragmentation in the European patent system EPS For decades attempts have been made to address this fragmentation by introducing a unitary patent system The most recent attempt the EU unitary patent system will be the first of its kind It is expected to significantly change the EPS However rather than reducing existing fragmentation it will likely add to it Based on an analysis of the current and forthcoming system the book argues that the inherent nature of fragmentation within the EPS needs to be

recognised and suggests that a multifaceted approach is required to respond to it. Uniquely it draws on work regarding fragmentation outside of the patent and intellectual property regimes gaining insights from both European law making and the international legal system. These insights are used to investigate current responses to fragmentation in the EPS. Interpretations of substantive patent law are examined including claim construction *Actavis v Eli Lilly* exceptions to patentability related to uses of human embryos for industrial or commercial purposes *WARF* *Brattle* *ISCC* and products resulting from essentially biological processes *Broccoli* and *Tomatoes II* *G3/19*. Attempts towards convergence in these areas have had mixed results and in some instances fragmentation may be necessary. However similar techniques to those applied in the international legal system to respond to fragmentation are being used in the EPS and where this is seen it has been to good effect. It is argued that these methods should be recognised structured and promoted to make our response to fragmentation more effective. Fragmentation and the European Patent System will be of interest to academics students and practitioners looking for a new perspective on the EPS.

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