

# Privacy, Property and Personality

Civil Law Perspectives on Commercial  
Appropriation

by Beverley-Smith, Ansgar Ohly and Agnès Lucas-Schloetter



CAMBRIDGE STUDIES IN  
INTELLECTUAL PROPERTY RIGHTS

# Privacy Property And Personality Civil Law Perspectives On Commerical Appropriation

**Paul Torremans**



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*The Commercial Appropriation of Fame* David Tan, 2017-04-20 9 1 A Pragmatic Cultural Framework for Legal Analysis 9 2 Concluding Remarks Bibliography Index

**Understanding Privacy** Daniel J. Solove, 2010-03-30 Solove offers a comprehensive overview of the difficulties involved in discussions of privacy and ultimately provides a provocative resolution He argues that there are multiple forms of privacy related to one another by family resemblances His theory bridges cultural differences and addresses historical changes in views on privacy

Comparative Defamation and Privacy Law Andrew T. Kenyon, 2016-04-21 Leading experts from common law jurisdictions examine defamation and privacy two major and interrelated issues for law and media

Injunctions against Intermediaries in the European Union Martin Husovec, 2017-11-30 In the European Union courts have been expanding the enforcement of intellectual property rights by employing injunctions to compel intermediaries to provide assistance despite no allegation of wrongdoing against these parties These prospective injunctions designed to prevent future harm thus hold parties accountable where no liability exists Effectively a new type of regulatory tool these injunctions are distinct from the conventional secondary liability in tort At present they can be observed in orders to compel website blocking content filtering or disconnection but going forward their

use is potentially unlimited This book outlines the paradigmatic shift this entails for the future of the Internet and analyzes the associated legal and economic opportunities and problems      **Global Mandatory Fair Use** Tanya Aplin,Lionel Bently,2020-11-05 In a path breaking work Tanya Aplin and Lionel Bently make the case that the quotation exception in Article 10 of the Berne Convention constitutes a global mandatory fair use provision It is global they argue because of the reach of Berne qua Berne and qua TRIPS and its mandatory nature is apparent from the clear language of Article 10 and its travaux It relates to use that is not limited by type of work type of act or purpose and it is fair use because the work must be made available to the public with attribution and the use must be proportionate and consistent with fair practice By explaining the contours of global mandatory fair use and thus displacing the three step test as the dominant international copyright norm governing copyright exceptions this book creates new insights into how national exceptions should be framed and interpreted      **The Legal Protection of Personality Rights** Ken Oliphant,Zhang Pinghua,Chen Lei,2018-04-24 This book aims to investigate the way in which personality rights are protected in China through a comparative and cross cultural lens drawing on perspectives from Europe and elsewhere in the world Currently the question whether or not to incorporate a special law on personal rights the right to life the right to health and the rights to reputation and privacy into a future Chinese Civil Code is heatedly debated in the Chinese legal community The essential topics that are addressed in this book include general issues of personality rights personality rights in Constitutional law personality rights in private law the legislative development of personality rights in China case studies of the right to privacy personality rights in the mass media and the internet competition law aspects of the right of publicity the protection of patients personal information and personality rights in the family context The book offers a broad investigation of personality rights protection in both China and Europe and provides the first substantive comparison of the Chinese and European regimes The project is conceived as a joint effort on the part of a carefully chosen team of Chinese and European academics working closely together The team consists of both senior scholars and young researchers led by well known experts in the field of comparative tort law      *Art and Modern Copyright* Elena Cooper,2018-08-16 This book is the first in depth and longitudinal study of the history of copyright protecting the visual arts Exploring legal developments during an important period in the making of the modern law the mid nineteenth to early twentieth centuries in relation to four themes the protection of copyright authors painters photographers and engravers art collectors sitters and the public interest it uncovers a number of long forgotten narratives of copyright history including views of copyright that differ from how we think today As well as considering the distinct nature of the contribution of copyright to the history of the cultural domain accounted for by scholars of art history and the sociology of art this book examines the value to lawyers and policy makers today of copyright history as a destabilising influence in taking us to ways of thinking that differ from our own history can sharpen the critical lens through which we view copyright debates today      Media Freedom as a Fundamental Right Jan Oster,2015-05-28 Jan Oster develops a

coherent theoretical and doctrinal framework for the scope content and limitations of media freedom      *Patent Intensity and Economic Growth* Daniel Benoliel, 2017-12-14 A theoretical critique of the patent and innovation policy funnelled by intellectual property instruments towards developing countries      **International Copyright and Access to Knowledge** Sara Bannerman, 2016-02-19 The principle of Access to Knowledge A2K has become a common reference point for a diverse set of agendas that all hope to realize technological and human potential by making knowledge more accessible This book is a history of international copyright focused on principles of A2K and their proponents Whilst debate and discussion so far has covered the perspectives of major western countries the author's fresh approach to the topic considers emerging countries and NGOs who have fought for the principles of A2K that are now fundamental to the system Written in a clear and accessible style the book connects copyright history to current problems issues and events      **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      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      **The Internet and the Emerging Importance of New Forms of Intellectual Property** Susy Frankel, Daniel Gervais, 2016-05-01 The term intellectual property has come to include numerous intangible rights beyond the traditional Big Three patent trademark and copyright rights that force us to reconsider and maybe also change the object and purpose of intellectual property IP Not only do these rights generally have less solid normative footing and few if any well understood inherent limits but the borders of their misappropriation are hard to draw This groundbreaking book scrutinizes the

existence of commonalities in this realm and poses the question of what risks and advantages accrue to such IP or IP like rights Sixteen distinguished contributors offer in depth analyses of such rights as the following trade secrets image and publicity rights geographical indications traditional knowledge protection of databases and sports rights and ambush marketing Recommendations and solutions investigated include the use of specialized courts or judges and of private standards There are also thoughtful considerations of practices such as forum shifting and an analysis of the special value of evolving Chinese law as a norm laboratory Two chapters discuss the complexities of enforcement Enforcement impacts substantive intellectual property and can be said to be its own form of IP Practitioners judges academics and policymakers will all welcome this work and value it highly Its contributors collectively take a giant step toward clarifying and synthesizing one of the most baffling areas of current law both internationally and at national level around the globe

Concepts of Property in Intellectual Property Law Helena Howe, 2013-09-26 Intellectual property law faces the challenge of balancing the interests of right holders and users in the face of technological change and inequalities in information access Concepts of Property in Intellectual Property Law offers a collection of essays which reflect on the interaction between intellectual property and broader more traditional notions of property It explores the way in which differing interpretations of the concept of property can affect the scope of protection in the law of copyright patent trade marks and confidential information With contributions from leading and emerging scholars from a variety of jurisdictions the book demonstrates how concepts of property can assist in shaping a conceptually coherent and balanced response to the challenges faced by intellectual property law

*Holyoak and Torremans Intellectual Property Law* Paul Torremans, 2016 Holyoak and Torremans Intellectual Property Law provides a complete introduction and overview of UK intellectual property law It examines how the law has developed through key statutory provisions and leading cases and highlights the increasing influence of the EU and other international jurisdictions in shaping the law in its global context

*Contemporary Intellectual Property* Charlotte Waelde, Abbe Brown, Smita Kheria, Jane Cornwell, 2016 A unique perspective on intellectual property law It examines the complex policies that inform and guide modern intellectual property law at the domestic including Scottish European and international levels giving the reader a true insight into the discipline and the shape of things to come

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