

# КАТАЛОГ КНИГ

ДЛЯ ФАХІВЦІВ СФЕРИ ІВ

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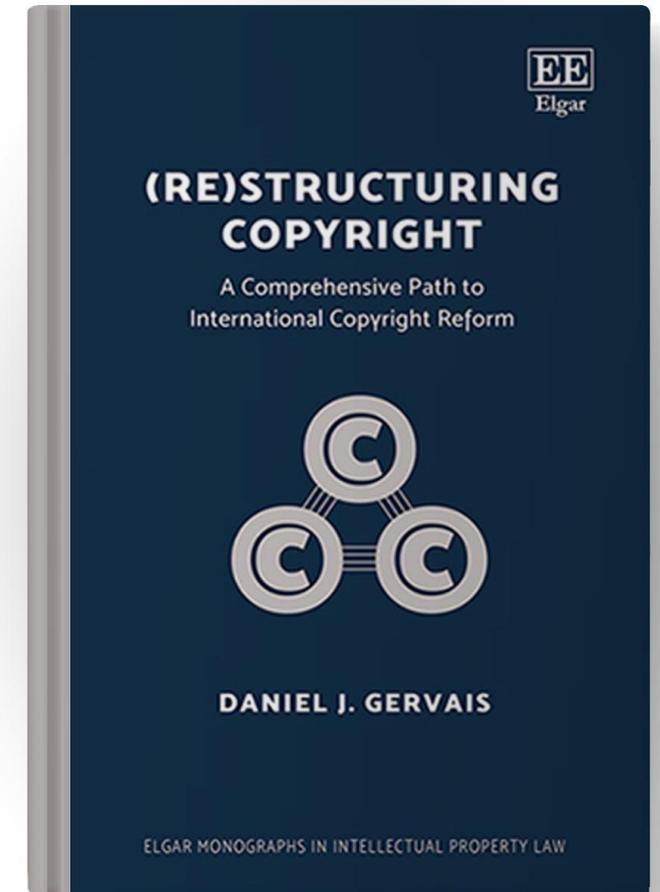


## **(Re)structuring Copyright A Comprehensive Path to International Copyright Reform: Daniel Gervais, 2019**

As the Internet continues to alter our online world, the structure of copyright in its current form becomes inadequate and unfit for purpose. In this bold and persuasive work, Daniel Gervais argues that the international copyright system is in need of a root and branch rethink. This ambitious and far-reaching book sets out to diagnose in some detail the problems faced by copyright, before eloquently mapping out a path for comprehensive and structured reform.

This book's main objectives are to identify structural and other deficiencies within the current system, and to outline a structured approach to copyright reform. Part I of the book is thus diagnostic in nature, Part II offers detailed and concrete pathways to improve the current system, whilst in the Epilogue, a clear path to revise the Berne Convention is proposed.

Contributing a reasoned and novel voice to a debate that is all too often driven by ignorance and partisan self-interest, this book will be required reading for all copyright scholars and practitioners with an interest in the future direction of the field.



## International Copyright Law: Jane C. Ginsburg, 2015

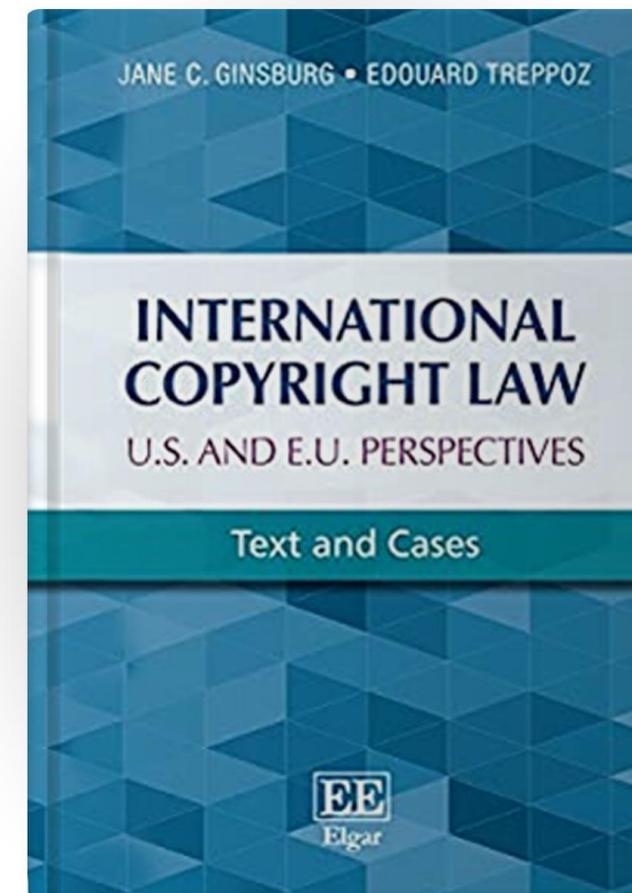
International copyright law is a complex and evolving field, of manifest and increasing economic significance. Its intellectual challenges derive from the interlocking relationships of multiple international instruments and national or regional laws and judgments.

This ground-breaking casebook provides a comprehensive and comprehensible account of international copyright and neighbouring rights law, from the cornerstone of the 1886 Berne Convention and the Rome Convention of 1961, through to the 1994 TRIPS Agreement and the 1996 and later WIPO Copyright Treaties. It examines how national laws have implemented the international norms, and explores the issues these sources have left ambiguous or unresolved.

Ginsburg and Treppoz, two of the leading lights in international copyright law, bring their expert commentary and provocative questions to judiciously selected extracts from cases, analytical texts, and the texts of the treaties themselves, to develop a deeply nuanced understanding of this field. The approach centres on comprehending the international law and international treaties and, rather than analyzing the treaties in turn and in abstract, offers a concrete issue-by-issue treatment of the subject.

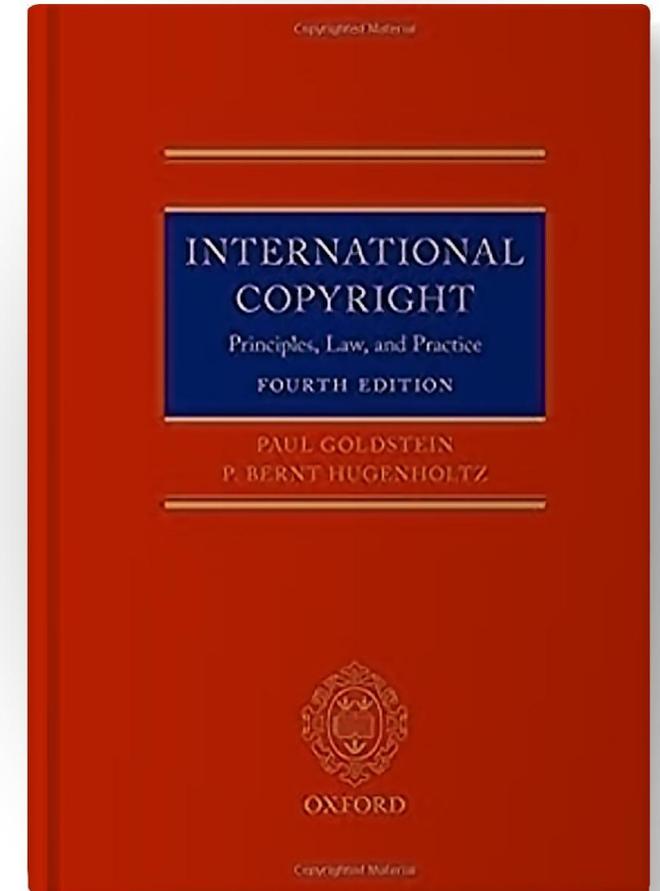
### Key features of the casebook:

- written by two leading authorities in the field;
- carefully selected extracts from primary and secondary sources build a clear picture of the field
- expert analytical commentary and questions set the extracts in context
- US and EU perspectives integrated throughout the text to ensure maximum relevance and encourage students to make comparative assessments
- an issue-based approach that synthesizes the treaties and facilitates a nuanced understanding
- exposition of lacunae in the treaties, and extensive consideration of how private international law fills the gaps
- leads students through the field from beginning to end.



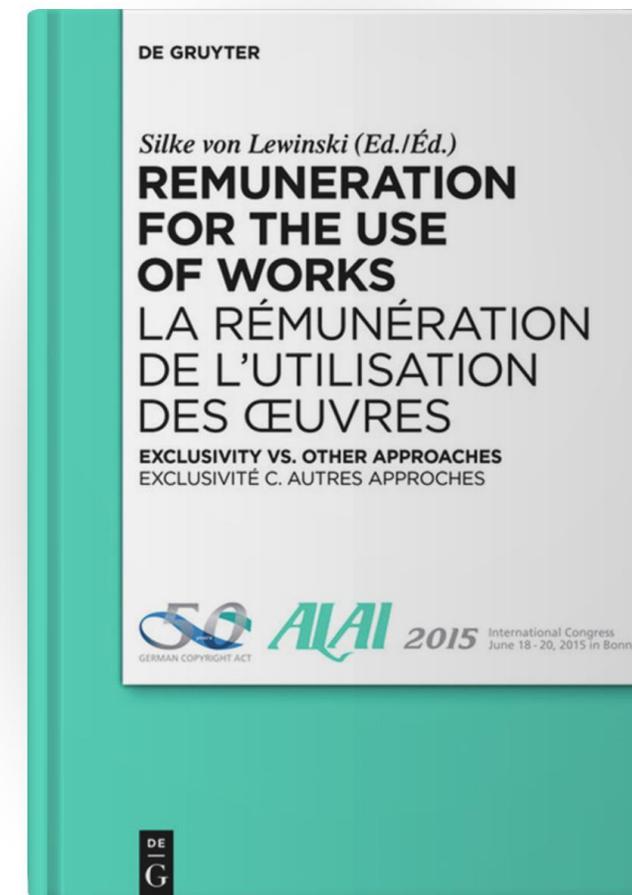
## International Copyright: Principles, Law, and Practice: Paul Goldstein, P. Bernt Hugenholtz, 2019 (4th Edition)

*International Copyright: Principles, Law, and Practice* surveys and analyzes the legal doctrines affecting copyright practice around the world, in both transactional and litigation settings. It provides a step-by-step methodology for advising clients involved in exploiting creative works in or from foreign countries. Written by two of the most esteemed experts of copyright law in the United States and Europe, this volume is a unique synthesis of copyright law and practice, taking into account the Berne Convention, the TRIPs Agreement, the ongoing harmonization of copyright in the European Union, and the impact of the Internet. National copyright rules on protectible subject matter, ownership, term, and rights are covered in detail and compared from country to country, as are topics on moral rights and neighboring rights. Separate sections cover such important topics as territoriality, national treatment and choice of law, as well as the treaty and trade arrangements that underlie substantive copyright norms.



## Remuneration for the Use of Works: Ed. Silke von Lewinski, 2016

Royalty payments are once again becoming a hot button issue for authors and artists, as well as other holders of copyright or related rights, because they fail to receive adequate compensation for the use of their work on the internet. This volume from the 2015 ALAI Congress contributes to the international discussion of this issue by examining the causes of the problem and possible solutions, including a set of business models to compensate for internet usage. The volume contains mainly English as well as French and Spanish contributions.



## Copyright (Examples & Explanations): Stephen M. McJohn, 2018 (5th Edition)

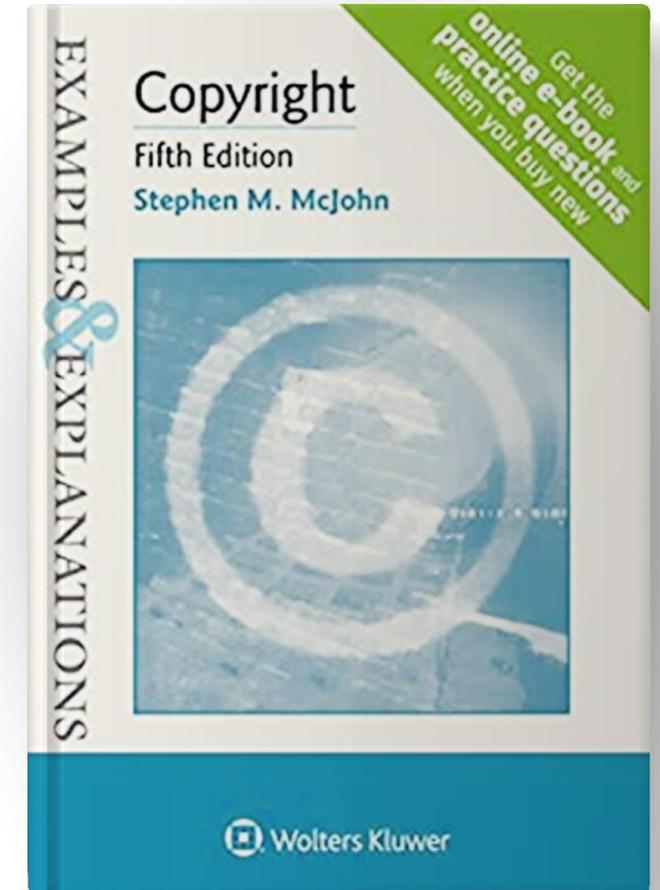
Using proven Examples & Explanations pedagogy, this comprehensive study guide provides students with a short account of the law, followed by a variety of concrete examples and explanations that reinforce and give substance to key rules and concepts in copyright law.

### New to the Fifth Edition:

- Supreme Court decisions: Varsity Brands on functionality and cheerleader uniforms, Kirtsaeng on awarding attorney's fees even if litigant was reasonable
- Works from 1923 passing into public domain, as copyright term finally has meaning in 2019
- "Happy Birthday to You" and "We Shall Overcome" freed from copyright claims
- Cases on free software and Creative Commons licenses
- Developments in secondary liability and Web site immunity, such as YouTube and Comcast
- Fair use cases in art, music, books, software, legal briefs, big data, Google Books, online postings, and movies
- Oracle v. Google changing software copyright law
- Authorship issues involving actors, macaques, and artificial intelligence

### Professors and students will benefit from:

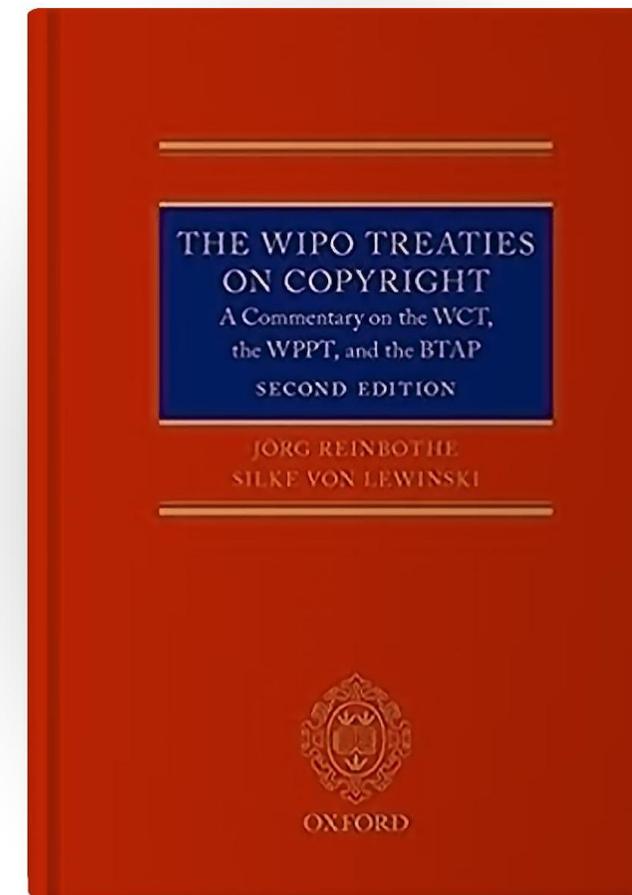
- Up-to-date coverage of recent developments
- Practical and broad coverage of music, books, art, software, movies, data and other areas
- Realistic examples and explanations making the rules of copyright concrete and clear
- A building block approach to provide an overall understanding of copyright



## The WIPO Treaties on Copyright: A Commentary on the WCT, the WPPT, and the BTAP: Joerg Reinbothe, Silke von Lewinski, 2015 (2nd Edition)

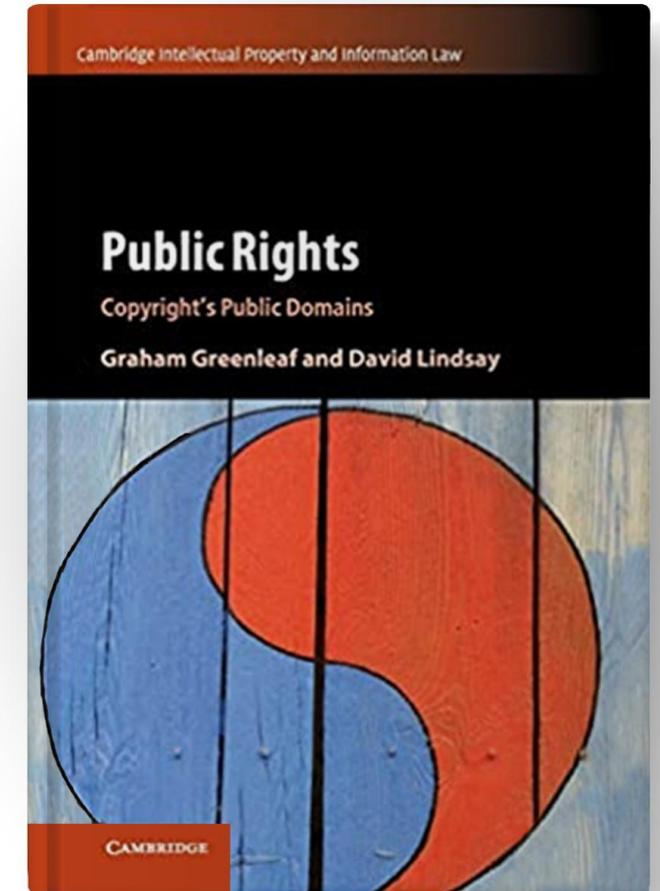
This work is the leading guide to the WIPO Copyright Treaty (WCT), the WIPO Performances and Phonograms Treaty (WPPT), and the Beijing Treaty on Audiovisual Performances. Ten years have passed since the enforcement of the WCT and the WPPT. This revised commentary on the treaties reflects on the impact of their implementation and illustrates how they have come to be applied in different ways for example through national legislation, bilateral agreements, and in parts of free-trade agreements. It gives a detailed analysis of the development and meaning of all articles of these treaties and integrates current debates on copyright and neighboring rights protection in the digital age.

Written by two leading experts in copyright law, both closely involved in the evolution of the treaties and their implementation into national and EU law, this work is the definitive guide to the recently adopted international copyright treaties.



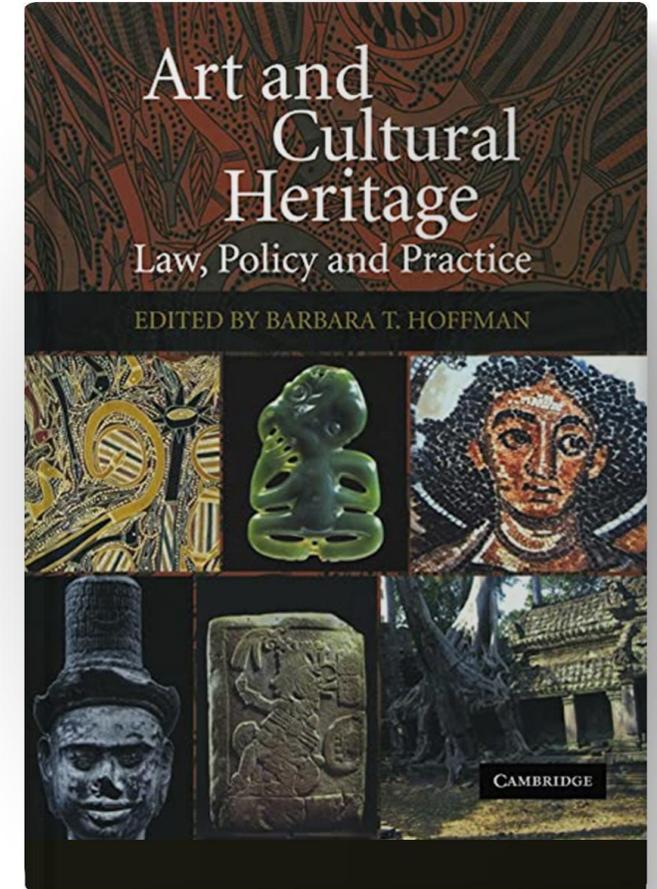
## Public Rights: Copyright's Public Domains (Cambridge Intellectual Property and Information Law): Graham Greenleaf, David Lindsay, 2018

Access to works in the public domain is an important source of human creativity and autonomy, whether in the arts, scientific research or online discourse. But what can users actually do with works without obtaining the permission of a copyright owner? Readers will be surprised to find how many different kinds of permitted usage exist around the world. This book offers a comprehensive international and comparative account of the copyright public domain. It identifies fifteen categories of public rights and gives a detailed legal explanation of each, showing how their implementation differs between jurisdictions. Through this analysis, the authors aim to restore balance to copyright policy debates, and to contribute to such debates by making practical law reform proposals. A major intervention in the field of intellectual property law and copyright, this book will appeal to lawyers, scholars and those involved in the administration of copyright law.



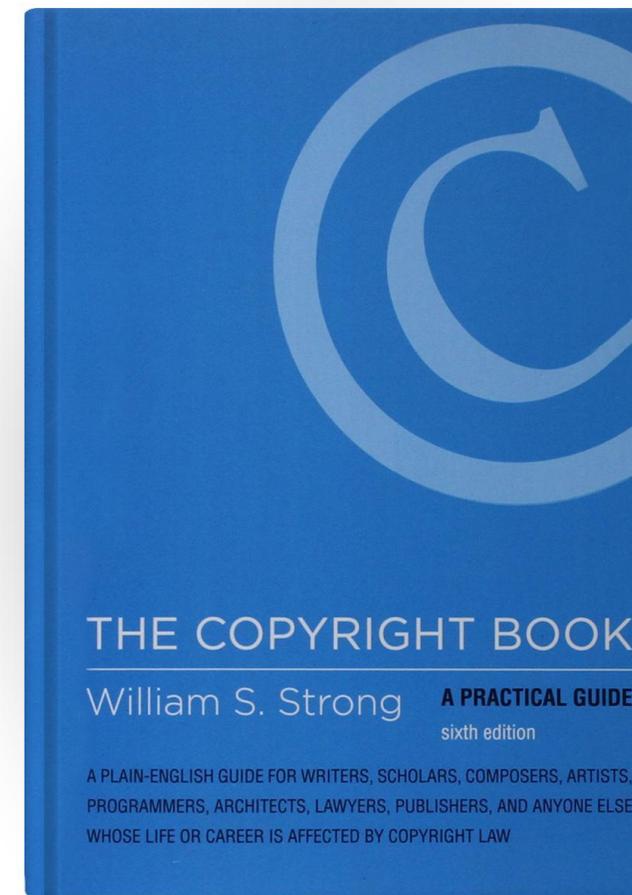
## Art and Cultural Heritage: Law, Policy and Practice: Hoffman, Barbara T., 2009

Art and Cultural Heritage is appropriately, but not solely, about national and international law respecting cultural heritage. It is a bubbling cauldron of law mixed with ethics, philosophy, politics and working principles looking at how cultural heritage law, policy and practice should be sculpted from the past as the present becomes the future. Art and cultural heritage are two pillars on which a society builds its identity, its values, its sense of community and the individual. The authors explore these demanding concerns, untangle basic values, and look critically at the conflicts and contradictions in existing art and cultural heritage law and policy in its diverse sectors. The rich and provocative contributions collectively provide a reasoned discussion of the issues from a multiplicity of views to permit the reader to understand the theoretical and philosophical underpinnings of the cultural heritage debate.



## The Copyright Book: A Practical Guide: William S. Strong , 2014 (6th Edition)

An accessible and comprehensive guide to copyright law, updated to include new developments in infringement, fair use, and the impact of digital technology. Through five editions since 1981, this book has offered the most comprehensive accessible guide available to all aspects of copyright law. Now, with the sixth edition, The Copyright Book has been thoroughly updated to cover copyright for the Internet age, discussing a range of developments in the law since 2000. The only book written for nonlawyers that covers the entire field of copyright law, it is essential reading for authors, artists, creative people in every medium, the companies that hire them, users of copyrighted material, and anyone with an interest in copyright law from a policy perspective. New material includes greatly expanded coverage of infringement and fair use, with detailed discussion of recent decisions, including the Grateful Dead, Google, and HathiTrust cases. The new edition considers such topics as open access, the defeat of the Stop Online Piracy Act (SOPA), file sharing, e-reserves, the status of "orphan works," and the latest developments under the Digital Millennium Copyright Act (DMCA). The sixth edition also brings up to date The Copyright Book's plain English explanation of such fundamental topics as authorship and ownership; transfers and licenses of copyright; copyright notice; registration of copyright (including the new online registration and "preregistration" systems); the scope of rights included in copyright, and exceptions to those rights; "moral rights"; compulsory licenses; tax treatment of copyright; and international aspects of copyright law. As copyright issues grow ever more complicated, The Copyright Book becomes ever more indispensable.



## Copyright for Academic Librarians and Professionals: Rebecca P. Butler , 2014

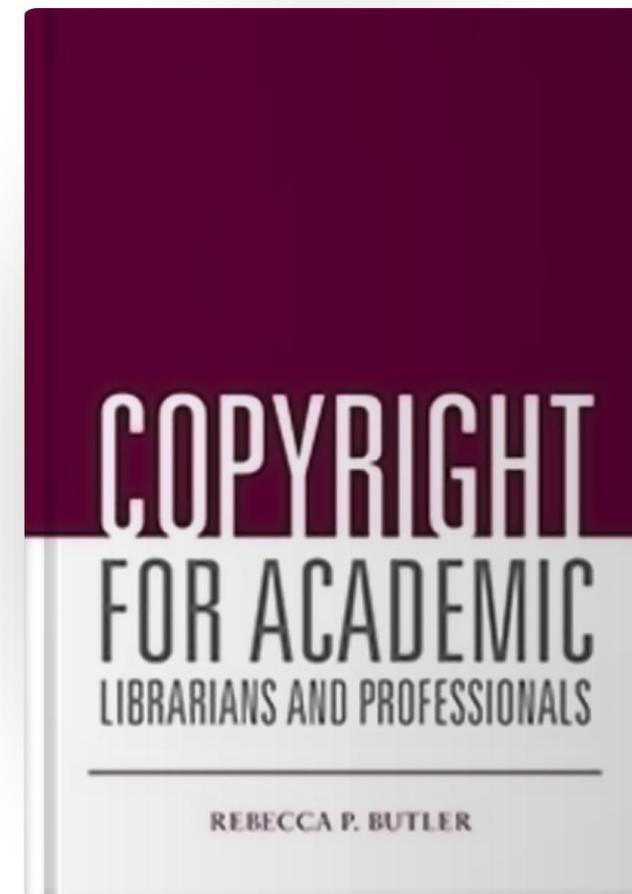
In her new book, seasoned copyright expert Butler turns her attention to one of the complex arenas in the world of copyright and intellectual freedom: the unique environment of higher education. This practical handbook will show students training to become college and university librarians how to make informed decisions regarding the use and availability of print, non-print, and online resources. Based on Butler's 17 years of experience conducting copyright workshops and courses, her book matches real-world scenarios with interpretations of the law from copyright experts in the field to provide a thorough understanding of current, everyday applications of copyright law in higher education.

Beginning with a solid grounding in the underlying principles of copyright law, such as fair use, public domain, permissions, plagiarism, documentation and licenses, Creative Commons, Open Source (OS), and Open Access (OS), Butler moves on to specific applications of copyright law, including:

- Internet resources such as blogs/vlogs, podcasts, wikis, social networking tools, and more
- DVDs, television, and streaming and on-demand video
- Computer and gaming software, handheld applications, and mobile technologies
- CDs, music, and audio
- Multimedia and print works

Butler explains fair use, public domain, documentation and licenses, permissions, creation and ownership, violations and penalties, international copyright law, and avoiding copyright problems as they relate to each of these formats. A separate chapter covers the use of each format in distance learning, as well as how the Digital Millennium Copyright Act (DMCA) and the Technology, Education, and Copyright Harmonization (TEACH) Act relate to and affect the many aspects of distance education.

A clear and comprehensive textbook for copyright courses, this book features figures and decision flowcharts throughout that make the concepts presented easy to follow and understand. Appendices feature pertinent sections of U.S. copyright law and a helpful glossary of terms.



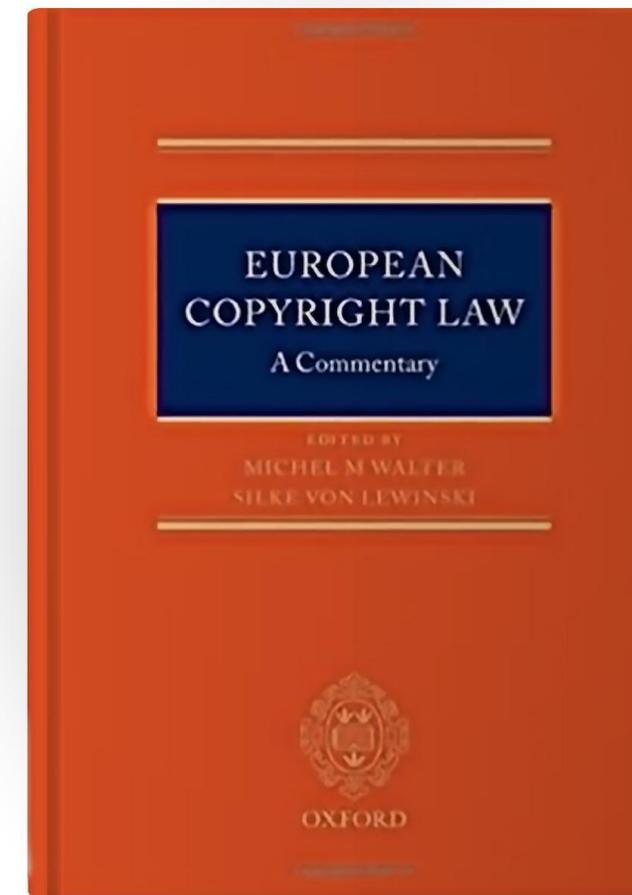
## European Copyright Law: A Commentary: Michel Walter, Silke von Lewinski, 2010

This book is an updated English language version of a highly regarded commentary published in German by Springer in 2001, covering all of the EU Directives on copyright law and related rights, with article-by-article analysis of the provisions, as well as the relevant background of general EC law.

The analysis of each article examines its antecedents in national laws, the negotiating history, the meaning and purpose of the wording, interpretive rulings by the European Court of Justice, and key issues relating to implementation of the regulations and rulings by the Member States, concentrating in particular on the UK, France, Germany, Spain, Italy and Hungary.

The revised English edition takes into account the many significant developments which have taken place since the German edition was published, including the Software Directive, the Database Directive, the revised text of the Product Piracy Regulation, the Enforcement Directive and the review of the EC legal framework in the field of Copyright and Related Rights.

This book is a must have text for practitioners and academics working in the areas of intellectual property law and policy-making as it offers for the first time in the English language, a clear and comprehensive analysis of European Copyright Law in the style of a commentary. Relevant Europe-wide, this book also has a global market given the importance of the EU in intellectual property circles around the world.



## Collective Management of Copyright and Related Rights: Daniel Gervais, 2015 (5th Edition)

In the course of the last two decades, collective management organizations (CMOs) have become the nerve centres of copyright licensing in virtually every country. Their expertise and knowledge of copyright law and management have proven essential to make copyright work in the digital age. However, they have also been at the centre of debates about their efficiency, their transparency and their governance. This book, an extensively revised and updated edition of the major work on the legal status of CMOs, offers an in-depth analysis of the various operating CMO models, their rights and obligations vis-à-vis both users and members, acquisition of legal authority to license, and (most important) the rights to license digital uses of protected material and build (or improve current) information systems to deal with ever more complex rights management and licensing tasks. All the chapters have been updated since the 2010 edition. New chapters on Africa, China, Central Europe and New Zealand (together with Australia, which is no longer discussed in the separate chapter on Canada) have been added

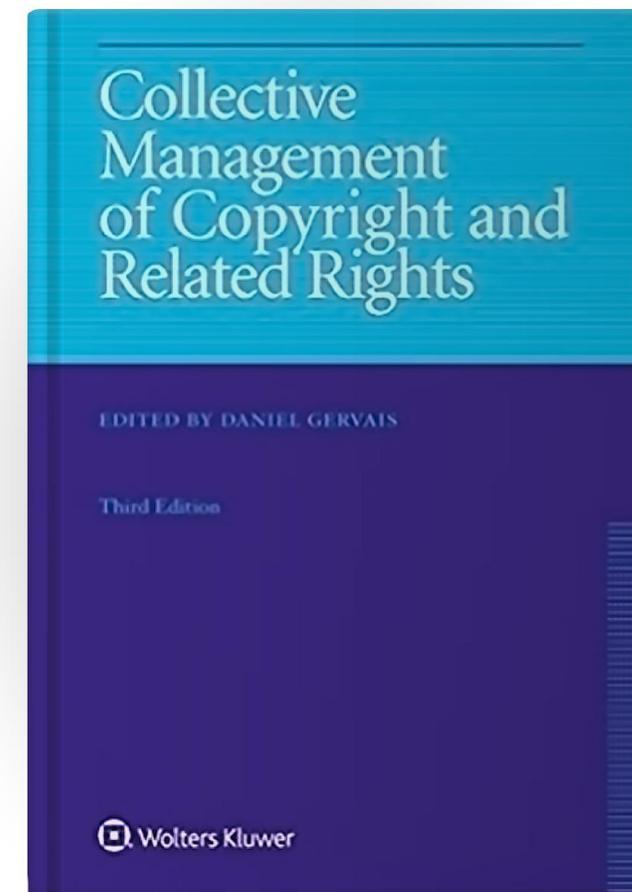
Factors considered include the following:

- role of 'families' such as the International Confederation of Societies of Authors and Composers (CISAC) and the International Federation of Reproduction Rights Organizations (IFRRO);
- cases where the unavailability of adequate licensing options makes authorized use difficult or impossible taking transaction costs into account;
- growing importance of extended repertoire systems (also known as extended collective licensing);
- relationship among collective management, rights to remuneration, and the ways in which CMOs acquire authority to license;
- transnational licensing and the possible role of multi-territorial licensing; and
- threat of monopolies or regional oligopolies for the management of online music rights.

Legal underpinnings covered in the course of the analysis include the 1996 WIPO Copyright Treaties, the US Digital Millennium Copyright Act, the Napster case, the Santiago Agreement, relevant EU Papers and the 2014 Copyright Directive, and work done by the UN Committee on Economic, Social and Cultural Rights.

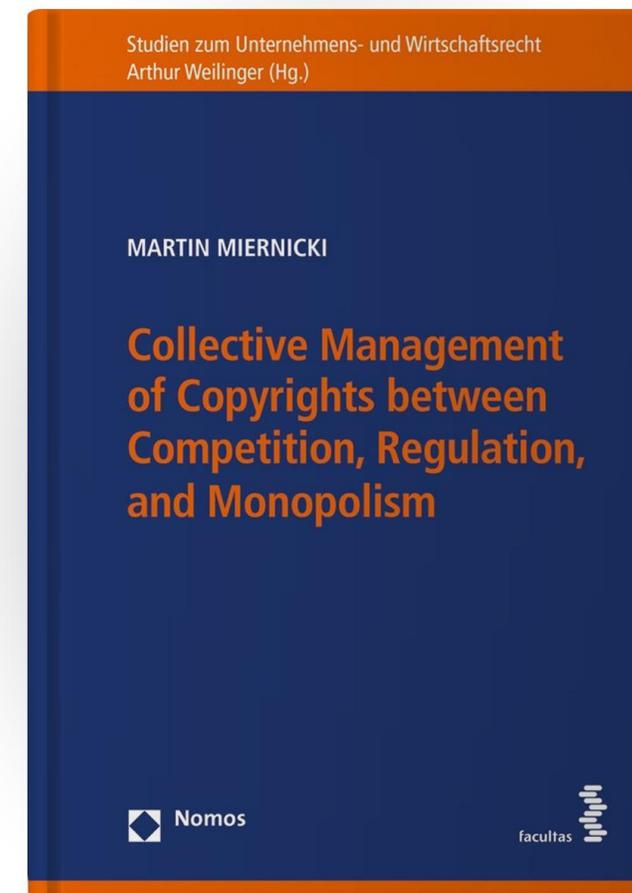
**Part I** presents a number of horizontal issues that affect collective management in almost every country. **Part II** is divided on a geographical basis, focusing on systems representative of the principal models applied in various countries and regions. Each country specific or region-specific chapter provides a historical overview and a presentation of existing CMOs and their activities, gives financial information where available, describes how CMOs are supervised or controlled by legislation, and offers thoughts about the challenges facing CMOs in the country or region concerned. Many of these national and regional commentaries are the only such information sources available in English.

Whatever the future of copyright holds, it is clear that users will continue to want access and the ability to reuse material lawfully, and authors and other rights holders will want to ensure that they can put some reasonable limits on those uses, including an ability to monetize commercially relevant uses. CMOs are sure to be critical intermediaries in this process. The second edition of this important resource, with its key insights into the changing nature of collective management, will be of immeasurable value to all concerned with shaping policy towards collective management or working with the ever more complex legal issues arising in digital age copyright matters.



## Collective Management of Copyrights between Competition, Regulation, and Monopolism: Martin Miernicki, 2017

The collective management of copyrights is a highly topical issue in the United States which is exemplified by the review of the Consent Decrees between 2014 and 2016 and recent rate court proceedings. Furthermore, the economic and technical environment for the collective management of copyrights has undergone profound changes in recent years; this implies the need for research on the corresponding legal framework, also de lege ferenda. A comparative approach was chosen in order to highlight that similar problems occur in the United States and the European Union. Those problems are, however, not always addressed in the same way.

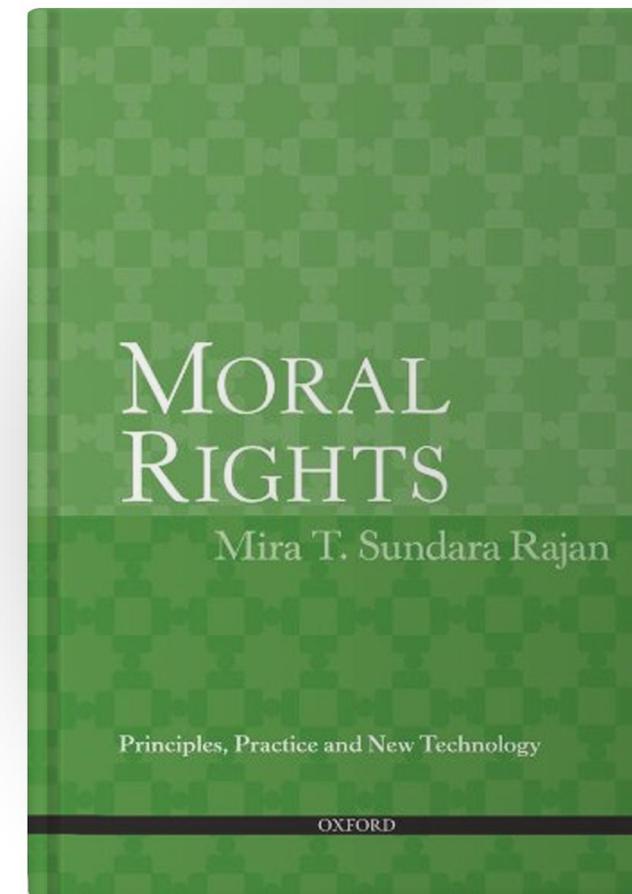


## Moral Rights: Principles, Practice and New Technology: Mira T. Sundara Rajan, 2011

The doctrine of moral rights is based on the idea that authors have a special bond with their own creative work.

At present, the legal status of moral rights demands clarification and assessment as never before, particularly as the international expansion of moral rights occurs in the new environment of digital technology. Just as the survival of copyright law depends on its capacity to adapt effectively to the new technological environment, a new approach to moral rights is imperative.

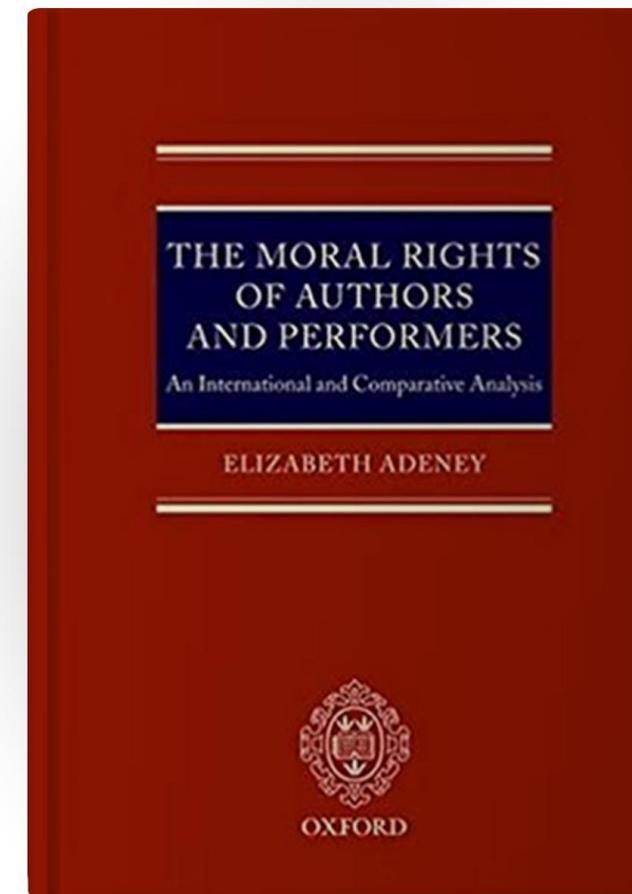
*Moral Rights: Principles, Practice and New Technology* is the first work to comprehensively address the role and challenges of moral rights in an environment of digital technology. The problem is addressed from both practical and theoretical channels, and examples drawn from the legislation and practice of key jurisdictions around the world. The book concludes with a consideration of how the concept of moral rights can contribute to the re-organization of copyright law in a digital context.



## The Moral Rights of Authors and Performers: An International and Comparative Analysis: Elizabeth Adeney, 2006 (6th Edition)

This book is a comprehensive guide to the development and utilisation of moral rights across the key jurisdictions of the English-speaking world and in France and Germany. In recent years, the copyright statutes of the common law countries have been expanded by the introduction of provisions dealing with purely authorial rights - moral rights. The book discusses the historical development of the rights in Europe, with particular reference to France and Germany, and shows the growth of moral rights theory and legislative coverage up to the late 1930s. During the 1920s the moral rights of authors became the subject of international protection, particularly through the operation of the Berne Convention for the Protection of Literary and Artistic Works.

The book explores the adoption of moral rights into this and other international instruments, explaining the functions that moral rights were intended to perform. The author gives detailed accounts of the operation of moral rights in France and Germany today, addressing both statutory interpretation and doctrinal issues. The provision of case studies gives an impression of the rich jurisprudence associated with the rights in these countries. The book also contains a detailed discussion of the versions of moral rights that have become entrenched in Canada, the UK, the US and Australia, with each country considered independently. It deals separately with the introduction of the rights into each country and their operation and interpretation by courts and commentators. Material on common law analogues to the rights is provided, which indicates alternative actions that practitioners might take. Problems of cross-jurisdictional legal proceedings (especially arising from technological transfer of information) are also addressed, with moral rights protection elsewhere in the world summarised in tabular form.



## Traité de la propriété littéraire et artistique: André Lucas, Agnès Lucas-Schloetter, Carine Bernault, 2017 (5th Edition)

La propriété littéraire et artistique, qui inclut le droit d'auteur et les droits dits "voisins" du droit d'auteur (accordés notamment aux artistes-interprètes et aux producteurs), sollicite de plus en plus l'attention du législateur et de la jurisprudence, y compris celle, abondante, de la Cour de justice de l'Union européenne. Elle donne lieu à des controverses passionnées, comme on le voit aujourd'hui à propos des réactions qu'ont suscitées les propositions publiées par la Commission européenne en septembre 2016.

Le présent traité veut l'analyser de manière exhaustive, y compris dans l'ordre international, en éclairant les débats actuels et en tâchant, au passage, de suggérer des solutions d'équilibre.

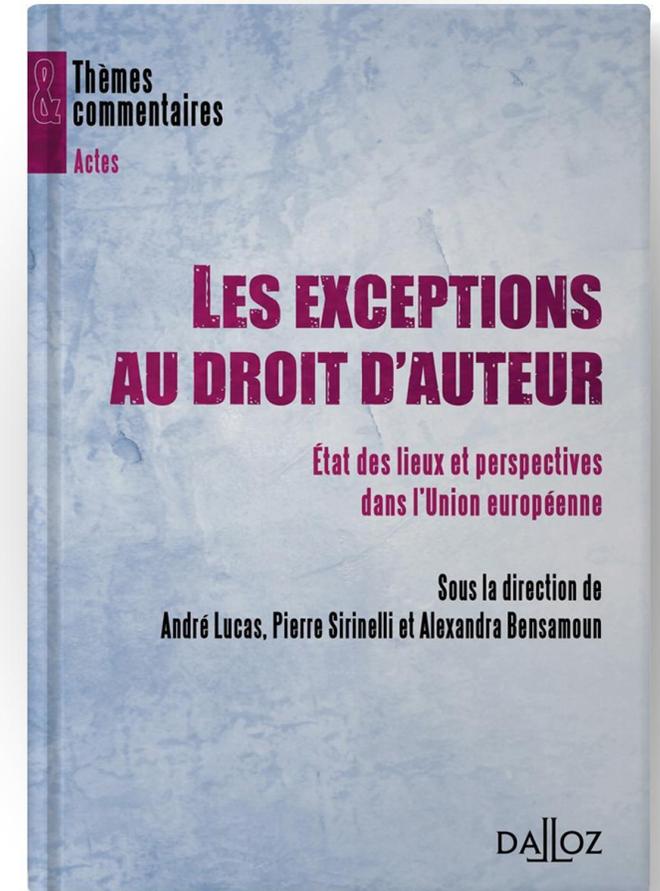
Il est à jour, dans sa 5e édition, de tous les développements législatifs et jurisprudentiels jusqu'au 1er octobre 2017.

Il s'adresse aux universitaires, aux avocats, aux magistrats et aux praticiens du secteur des industries culturelles.



**Les exceptions au droit d'auteur:  
Etats des lieux et perspectives dans l'Union européenne:  
Eds. André Lucas, Pierre Sirinelli, Alexandra Bensamoun, 2012**

La question des exceptions au droit d'auteur est une des plus controversées de la discipline. Il n'y a pas lieu de s'en étonner. Définir le périmètre du droit oblige forcément à dire ce qu'il est. Et l'on sait que le droit d'auteur est en crise. La diversité des solutions nationales dans l'Union européenne atteste que des choix sont possibles. Mais les exceptions reposent elles-mêmes sur des considérations variées qui ne sont pas toutes aussi impérieuses, ce qui impose une réflexion préalable sur leur fondement. La directive de 2001 sur la société de l'information doit également être prise en compte, même si l'harmonisation qu'elle réalise est modeste, car la Cour de justice paraît prête à prendre le relais. Quant au "triple test", dit aussi "test en trois étapes", issu de plusieurs conventions internationales, on doit se demander quelle sorte de boussole il constitue pour le législateur et pour le juge. Au-delà de ces interrogations fondamentales, le colloque s'attache à une analyse plus fouillée de la façon dont l'équilibre des intérêts peut être recherché dans trois séries d'exceptions : l'exception de copie privée, qui mérite un examen spécial compte tenu de son importance pratique et de l'incidence de l'arrêt Padawan du 21 octobre 2010, les exceptions à des fins d'information d'actualité, dont les médias sont prompts à revendiquer l'extension, et les exceptions à des fins d'enseignement et de recherche, souvent présentées comme essentielles pour assurer le développement de ce que la Commission européenne appelle la "société de la connaissance".



### **Каталог книг про інтелектуальну власність для фахівців у сфері ІВ: довідкове видання. К.: УКРНОІВІ, 2023.**

Каталог містить інформацію про найкращі наукові фахові видання, які розкривають актуальні проблеми інтелектуальної власності в різних країнах та регіонах світу. Представлені у цьому виданні книги розраховані на фахівців у сфері інтелектуальної власності, що добре знаються на загальних принципах та положеннях з відповідної теми, володіють англійською та французькою мовою на високому рівні та мають метою поглибити знання з інтелектуальної власності.

Представлена інформація про наукові фахові видання не має рекламного характеру та наводиться лише з інформаційною метою. Відповідальність за зміст, актуальність, повноту та достовірність викладених даних у представлених виданнях несуть їх автори.

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**Для кого:** для фахівців у сфері інтелектуальної власності.

**Мета:** ознайомлення усіх бажаючих з каталогом наукової літератури про інтелектуальну власність.

Каталог книг підготовлений командою Департаменту “Академія інтелектуальної власності” УКРНОІВІ: Ольга Кулініч, Галина Андрущенко, Дар'я Коваль.