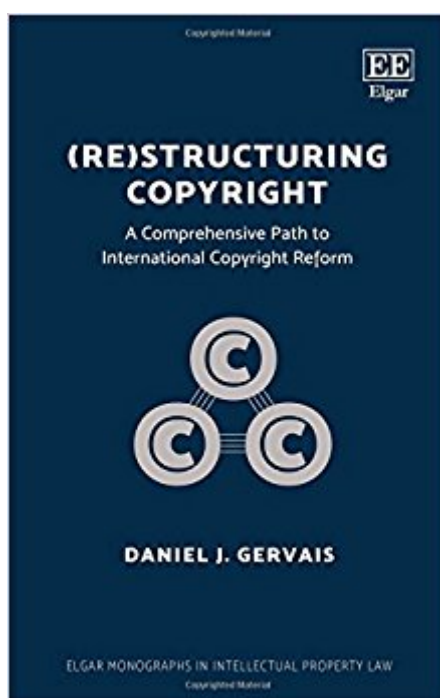


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# (Re)structuring Copyright: A Comprehensive Path To International Copyright Reform (Elgar Monographs In Intellectual Property Law Series)



## Synopsis

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.

## Book Information

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## Customer Reviews

`If WIPO was instructive, then Gervais' new book is positively illuminating. From its demure law-like binding and meticulously researched pages emerge existential and ontological questions of the highest order focused, in particular, upon Gervais' concern for the stimulation, nurturing and protection of creation, talent and creativity by re-structuring copyright law to further those purposes against the complex legal background of what constitutes originality and fixation. With rhetorical flare and an infectious passion, Gervais sets out the history, and worries about the future of human

progress with reference to the kinds of terra-a-terre issues we face in realms such as the MSF's entanglement with big pharma, by setting out the rather slipshod approach that has lurched forward in response to efforts of creators who have sought to protect the products of their genius.' --

AmeriQuests

Daniel J. Gervais, Professor of Law, Vanderbilt University

**A BOLD AND PERSUASIVE STATEMENT ON THE CHANGING FACE OF COPYRIGHT IN THE TWENTY-FIRST CENTURY** An appreciation by Elizabeth Taylor of Richmond Green Chambers and Phillip Taylor MBE of *ŒThe BarristerŒ*. This book represents a substantial call for a full reform of the system of copyright to fit the requirements of the 21st century. Daniel Gervais writes that *Œthe current lack of equilibrium and the deficient structure of copyright results, in part, from a process of historical changes and accretions to the list of copyright ŒrightsŒ and in part from a lack of clarity as to its purpose.Œ* So, for many people, this call for a review cannot come too quickly because of the massive problems which have been thrown up by the changes we have seen in what we call *Œinformation technologyŒ*. Frankly speaking, many of us have not treated this subject seriously enoughŒ Gervais, however, does. The biggest single headache at the moment is the internet which has changed forever our online world leading to what has been described as a structure of copyright which, in its current form, has become inadequate and, to use the phrase of the moment *Œunfit for purposeŒ*. We found this *Œbold and persuasive workŒ* by Gervais asks all the pertinent questions of the moment- many of which still remain completely ignored by many who want the current antiquated system to remain because it suits some peoplesŒ™ purposes. However, Gervais submits that *Œthe international copyright system is in need of a root and branch rethinkŒ* and how right he is. In essence, he aims *Œto inform the debate about the future of copyright and its influence on human creativityŒ*, especially with the advances in artificial intelligence. And, yes, itŒ™s rightly an *Œambitious and far-reaching bookŒ* where the author *Œsets out to diagnose in some detail the problems faced by copyright, before eloquently mapping out a path for comprehensive and structured reformŒ*. Frankly it remains a welcome read for all involved in copyright matters, professional or lay people, and unrepresented parties with a problem. The main objectives are set out by the author *Œto identify structural and other deficiencies within the current system, and to outline a structured approach to copyright reformŒ*. He does just that and it is a jolly good read with much

commendable detail. (Re)structuring Copyright is set out in the following way: Part I is diagnostic in nature whilst Part II offers detailed and concrete pathways to improve the current system, whilst in the Epilogue, a clear recommendation to revise the Berne Convention is proposed. Gervais likes the word 'pathways'! And Gervais also gives us a reasoned and novel voice to a copyright debate (we can all win™) that is all too often driven by ignorance and partisan self-interest. We agree that it should be required reading for all copyright scholars, advisers and practitioners with an interest in the way in which the subject of copyright can be developed in the near future. The book was published in 2017 and it is available as a book, online and as an ebook.

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