BOOK REVIEW


In the modern era of law, the intellectual property which has a long history is an outcome of numerous public debates. The book *Fashioning Intellectual Property, Exhibition, Advertising and the Press, 1789–1918*, is not the story of the law but a story of the shifting relations within one vital area of modern law and the economic, social and cultural sources of creativity and innovation during the long-nineteenth century.

In this book, the authors examine the ‘fashioning’ of the law by focusing on symbolic cases, key legislative changes and broader debates about the existence and shape of the law that were in the context of some specific new forms of ‘creativity’ and ‘innovation’, expression that should be understood in the broadest possible terms. Also highlighted is how in ‘the age of journalism’, the press shaped, and was shaped by, the idea of intellectual property as a protective crucible for improvements in knowledge and progress in the arts and sciences.

The book is actually not a complete account of the complex relationships between exhibitions, advertising, the press and the intellectual property between 1798 and 1918, in Britain and the rest of the common law world but is a complete survey of intellectual property in that period.

In the book there are three parts, The Journalism Age, The Exhibition-Effect and the Author-Brand Continuum, each having four chapters. In the end there are two Appendices—A covering law reporting in the time of *South v Sherwood* and B covering patents, designs and trademarks statistics and select bibliography which is quite useful.

Written in a very easy to understand style, the book is very useful for IP law lecturers and practitioners in this field, one gains detailed knowledge about the background and ever evolving law of intellectual property set within a well-researched historical context of the 18th to early 20th centuries.

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Copyright law has had its fair share of debates and controversies over the nature of rights, the implementation and exploitation of rights and even the very existence of these rights. With the advent of the digital era and the free flow of information, not only have newer issues sprung up, the older ones that were laid to rest are rearing their heads once again. This book deals with one such issue which perhaps has not been discussed to a great extent and as such is very topical in this age of the Internet.

That copyright law was long subject to formalities in terms of registration, renewal, deposit, notices etc., is perhaps not unknown to the veteran practitioner, but a relatively newer student of the copyright law may only know that copyright is a natural right and is automatically attached to a work once created and fixed. The existence of formalities in copyright always had it supporters and critics, but all the same, the formalities stand cancelled in most countries with a very few exceptions like the USA which require that the work (relevant to US works only) be registered in order to sue for infringements.

The book discusses the role and function of formalities in intellectual property law, history of formalities in national copyright law and the prohibition of formalities in international copyright law in great detail. While advocating the reintroduction of formalities in copyright law, the
author has effectively analysed the need, the history behind the existence and later elimination of formality requirements, the possibility and space for its revival keeping in view international agreements. This is a very elaborate study of formalities in copyright law and revitalizes an area that has seen very little study, especially in the current digital context.


This book is a culmination of the findings of a conference held in October 2010 in Vietnam on Sustainable Technology Transfer. The technology transfer focus in this book is on that between developed countries and developing countries, specifically dealing with the upliftment that it can effect in disadvantaged economies.

The book contains contributions from 14 eminent scholars and includes legal aspects, international agreement perspectives, the competition law equation, compulsory licensing, ACTA and its impact as well as the climate change and biodiversity point of view, among other topics.

The developed and developing country tensions are palpable at the various international debates going on today. The need of the hour is that developed countries channel their efforts towards fulfilling their obligations entrenched in international agreements and the developing countries use the flexibilities available in them to their advantage. However, it should also be recognized that mechanisms, their implementation and enforcement play equally important roles in these systems to function and flourish. The same is true for technology transfer because of its economic value and social relevance.

There is no doubt that technology transfer and sustainable are terms that are difficult to define but the book has managed to get these terms into perspective while effectively showing the way for creating a suitable mechanism for the same as well as providing some very specific examples. The discussions on sustainable energy sources are very apt in the context of developing countries since technology transfer in this sector is expected to have significant impact on their socio-economic growth.

The in-depth and rigorous treatment of the legal aspects with emphasis on the soft and hard provisions in various international agreements along with the succinct examples makes the book a valuable read for researchers, practitioners and policy makers alike.

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