

"COPYRIGHT LITIGATION: SUBSTANTIAL SIMILARITY"

by Eric Osterberg

PretiFlaherty

Substantial Similarity In Copyright Law

Eran Liss, Dan Adin

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Substantial Similarity in Copyright Law Robert C. Osterberg, Eric C. Osterberg, 2003 Substantial Similarity in Copyright Law lucidly examines the principal substantial similarity tests used by the various circuit courts to assess whether the copying of specific subject matter is sufficient to support a conclusion of copyright infringement Copyright Law Robert C. Osterberg, 2003 **Decisions of the United States Courts Involving Copyright** Mark Reading Together and Apart Laura A. Heymann, 2017 This response to Zahr K Said s A Augustine Lillis, 1985 Transactional Theory of the Reader in Copyright Law 102 Iowa L Rev 605 2017 joins her in supporting a reader centered view of copyright infringement but asks whether within the bounds of reasonableness any particular reading can be privileged over any other If a juror sees a suave man calmly battling villains while driving a sports car and says that the character copies James Bond how do we know if she is right What if she sees Jason Bourne instead Professor Said's insightful article relying largely on Louise Rosenblatt's theory of efferent and aesthetic reading encourages us to pay more attention to how jurors and judges engage with artistic works but copyright doctrine s failure to put more meat on the bones of substantial similarity inevitably limits the effectiveness of any guidance jurors might receive Thus I suggest more attention should be paid to how jurors and judges function as scholars and critics that is how they converse with one another about their acts of reading and attempt to persuade others that their reading is correct We are as Professor Said thoughtfully reminds us engaged in constant acts of reading Her calls for more open conversations both inside and outside the courtroom about how we read are well worth heeding The process by which we read engage and interpret both together and apart should be the next set of experiences that copyright law should take into account Proceedings of the International Conference on Law, Economic & Good Governance (IC-LAW 2023) Abdul Kadir Jaelani, Irwansyah, Fokke Fernhout, Agus Raharjo, Mohd Rizal Palil, Hilaire Tegnan, Okid Parama Astirin, Sutarno, Venty Survanti, Pranoto Pranoto, Robbi Rahim, 2024-02-21 This is an open access book The position of Indonesia and most countries in IMF calculations facing the same challenges Each country requires the legal instruments of a good and reliable system of Government to guards against the worst possible economic turmoil Good governance is an insistence of the constitution in the economic Article 33 paragraph 5 subsequently published Constitution Number 30 Year of 2014 on Government Administration contains 17 principles of a good governance One of the important points of the principle is a government without corruption and manipulation of policy concepts in order to provide access to consolidation in politics and economy The latest Transparency International report for 2023 shows that Indonesia's corruption perception index was recorded at 34 points on a scale of 0 100 in 2022 This is a 4 point decrease from the previous year This decline in the CPI also brought down the ranking of Indonesia's CPI globally It was noted that Indonesia's CPI in 2022 ranked 110th In the previous year Indonesia s CPI was ranked 96th globally Good Governance is all aspects related to the control and supervision of the power of the

Government in carrying out its functions through formal and informal institutions To implement the principles of Good Governance and Clean Government the Government must implement the principles of accountability and efficient resource management Good and clean governance will contribute to economic growth and economic growth will have an impact on human development During the last decades of 20th century the needs for a good governance has given some impacts and became a recurring theme in literature related to human development The intervention of government or the quality of government become crucially important in relation to the high achievement of human development Whereas an effort in improving society s welfare is through economic development. One of dominant aspects in economic development is through legal development Good law or policy in such country will have some impacts to the existence of good economic growth because supremacy of law is one aspect of a good governance Law supremacy is an important institution which is related to economic growth because rule of law ensures personal safety property rights unbiased contract enforcement stability of politics freedom of speech and control of corruption According to those various issues and debates on economic legal development and good governance then the Doctoral Program of the Faculty of Law Sebelas Maret University needs to hold an international conference as a place in exchanging some academic ideas in order to contributes to those legal issues with a theme INTERNATIONAL CONFERENCE ON LAW ECONOMICS AND GOOD GOVERNANCE WIPO Collection of Leading <u>Judgments on Intellectual Property Rights (English and Chinese version)</u> World Intellectual Property Organization, 2019-11-18 This casebook of judgments by the Supreme People's Court of the People's Republic of China is the first volume in the WIPO Collection of Leading Judgments on Intellectual Property Rights The WIPO Collection gives the global intellectual property community access to landmark judgments from some of the most dynamic litigation jurisdictions of the world through a succession of volumes that illustrate intellectual property adjudication approaches and trends by jurisdiction or by theme Copyright Law and Derivative Works Omri Rachum-Twaig, 2018-10-26 Copyright law regulates creativity It affects the way people create works of authorship ex ante and affects the status of works of authorship significantly ex post But does copyright law really understand creativity Should legal theories alone inform our regulation of the creative process This book views copyright law as a law of creativity It asks whether copyright law understands authorship as other creativity studies fields do It considers whether copyright law should incorporate non legal theories and if so how it should be adjusted in their light For this purpose the book focuses on one of the many rights that copyright law regulates the right to make a derivative work A work is considered derivative when it is based on one or more preexisting works Today the owner of a work of authorship has the exclusive right to make derivative works based on her original work or to allow others to do so The book suggests a new way to think about both the right the tension and copyright law at large It proposes relying on non legal fields like cognitive psychology and genre theories and offers new legal theoretical justifications for the right to make derivative works As the first book to consider the intersection between copyright law

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