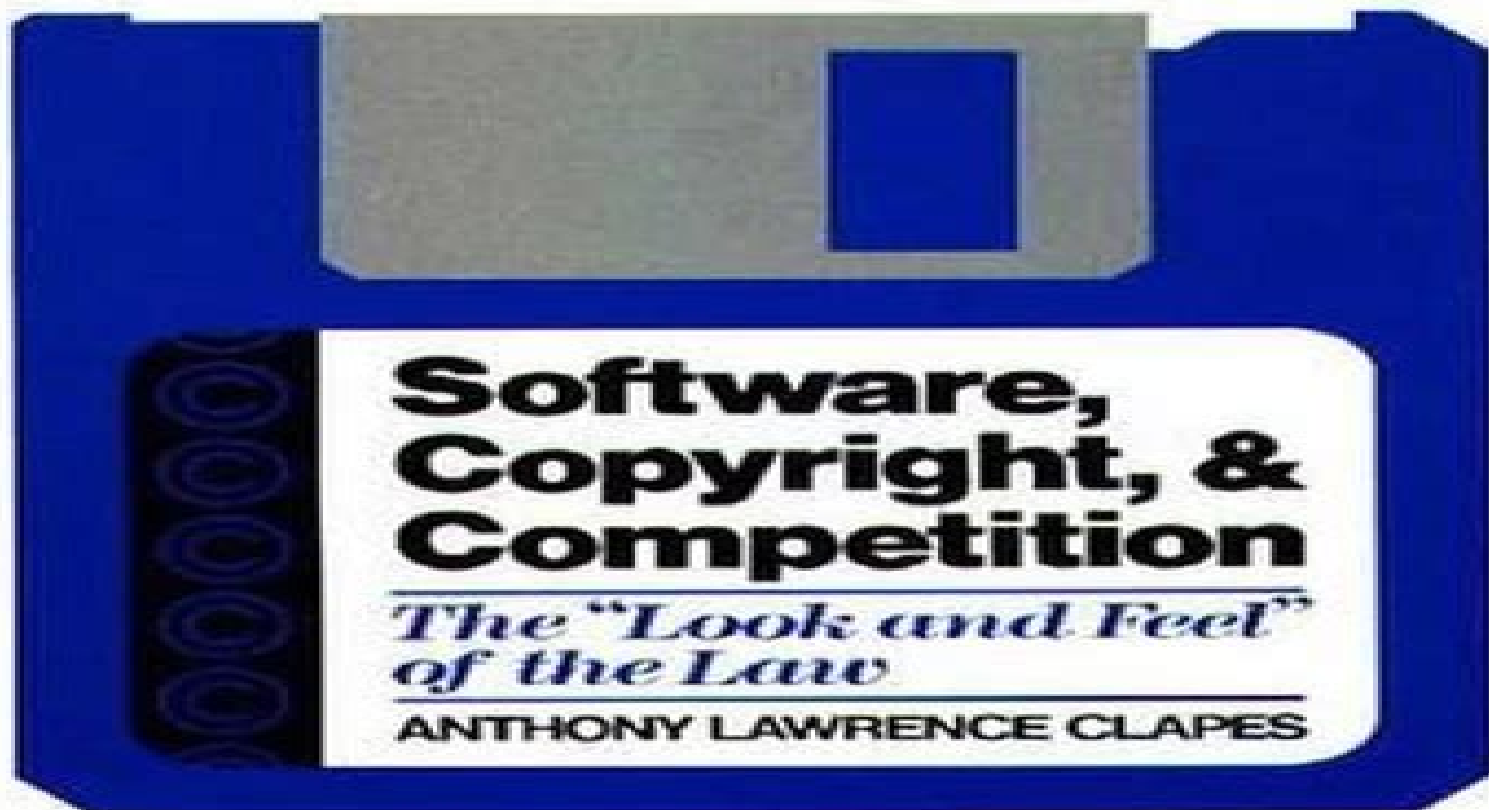




# **Software, Copyright, & Competition**

*The "Look and Feel"  
of the Law*

ANTHONY LAWRENCE CLAPES

# Software Copyright And Competition The Look And Feel Of The Law

**Marcel A. Müller**



## **Software Copyright And Competition The Look And Feel Of The Law:**

*Software, Copyright, and Competition* Anthony L. Clapes, 1989-11-06 This book deals comprehensively with the question of the scope of copyright protection for computer programs Offering a unique blend of scholarship technical rigor and readability it dispels the confusion and controversy that surround the application of copyright law to computer programs Through an orderly development of facts and analysis it shows why the copyright law is the appropriate regime for software protection and explains the nature of copyright protection for software Alternating between essay format and case study the book provides expert counsel to those interested in this interface between technology and law **Software Copyright and Competition The Look and Feel of the Law** is undoubtedly one of the best pieces of legal scholarship in any subject this editor has ever had the pleasure to read As to its subject matter it is the best analysis of look and feel written to date The book is very readable Not only does the author explain the law for the non lawyer but he explains the zen of computer programming to the non programmer With wit and insight he puts to rest the many old wives tales the legal community believes about programmers In the best of all possible worlds this book would be mandatory reading for any judge or arbitrator faced with a look and feel case The *Software Law Bulletin* January 1990 Two forces innovation and imitation fuel the intense competition that underlies the dramatic technological progress taking place in the computer industry As the competitive battleground shifts increasingly to the software sector a vigorous debate has arisen over whether the principal legal regime for protecting the asset value of computer programs the copyright law encourages or inhibits that competition Industry executives computer lawyers law professors and lawmakers alike are participating in the debate the outcome of which will quite literally shape the future of the computer industry This book deals comprehensively with the question of the scope of copyright protection for computer programs Offering a unique blend of scholarship technical rigor and readability it dispels the confusion and controversy that surround the application of copyright law to computer programs Through an orderly development of facts and analysis it shows why the copyright law is the appropriate regime for software protection and explains the nature of copyright protection for software Alternating between essay format and case study the book provides expert counsel to those interested in this interface between technology and law **Copyright Protection of Computer**

**Software in the United Kingdom** Stanley Lai, 2000-02-01 This work analyses the scope of copyright protection for computer software in the United Kingdom and examines challenges for the future The work presents the case for the adoption and application of infringement methodology emanating from the courts in the United States resulting in a narrower scope of protection than is presently argued for by many UK academics practitioners and judges alike The work makes a careful evaluation of the efficacy of the various prevailing tests for infringement of copyright in software and their progenies suggesting an improved formula and advocating the utility of limiting doctrines to assist in the determination of substantial similarity of particular non literal software elements user interfaces and screen display protection The monograph

also contains a detailed study of reverse engineering copyright defences permitted acts database protection and the copyright contract interface in the context of computer software not omitting crucial discussions of the internet digital dissemination and the impact of recent treaty and legislative initiatives on British copyright law As such it will be an important resource for practitioners lecturers and students alike

**Intellectual Property Issues in Software** National Research Council, Computer Science and Telecommunications Board, Steering Committee for Intellectual Property Issues in Software, 1991-02-01 Software is the product of intellectual creativity but protection of the intellectual property residing in software is the subject of some controversy This book captures a wide range of perspectives on the topic from industry academe and government drawing on information presented at a workshop and forum

*Controlling Voices* TyAnna K. Herrington, 2001 TyAnna K Herrington explains current intellectual property law and examines the effect of the Internet and ideological power on its interpretation Promoting a balanced development of our national culture she advocates educators informed participation in ensuring egalitarian public access to information She discusses the control of information and the creation of knowledge in terms of the way control functions under current property law

**Computer Law and Tax Report**, 1989-08 *Computers and Intellectual Property* United States. Congress. House. Committee on the Judiciary. Subcommittee on Courts, Intellectual Property, and the Administration of Justice, 1991

**Beyond the Code** Noam Shemtov, 2017-09-07 Although the law on infringement is relatively straightforward in relation to the copying of literal and textual elements of software it is the copying of non literal and functional elements that poses complex and topical questions in the context of intellectual property IP protection In many cases it is these non literal and functional elements that contain the real value of a software product This book concerns the copying of non literal and functional elements of software in both the United States and European Union using a holistic approach to address the most topical questions facing experts concerned with legal protection of software products across a range of technological platforms The book focuses on six distinct but interrelated areas contract copyright patents trade dress designs and trade secrets discussing these areas separately and in relation to one another The book discusses software as a multilayered functional product setting the scene for other legal discussions by highlighting software s unique characteristics It examines models for the provision of software addressing licensing patterns and overall enforceability as well as the statutory and judicial tools for regulating the use of such licences It assesses the protection of non literal and functional software elements under EU and US laws focusing on internal architecture interfaces behavioural elements and GUIs

**Rutgers Computer & Technology Law Journal**, 1994

**Copyright Law Symposium**, 1992 Featured here are the following prizewinning essays in the 1990 and 1991 ASCAP Nathan Burkan Memorial Competition in copyright law 1990 1st Prize Lee D Neumann Columbia University School of Law The Berne Convention and Droit de Suite Legislation in the United States 2nd Prize Michael K Davis Hall Harvard Law School Copyright and the Design of Useful Articles A Functional Analysis of Separability 3rd Prize Cynthia D Mann Harvard

Law School The Aesthetic Side of Life The Applied Art Industrial Design Dichotomy 4th Prize tie Jon Clark University of Maine School of Law Copyright Law and Work for Hire A Critical History 4th Prize tie Ted K Ringsred William Mitchell College of Law Is Anticompetitive Misuse a Defense to Copyright Infringement Honorable Mention Benjamin R Seecof University of California Hastings College of the Law Scanning Into the Future of Copyrightable Images Computer Based Image Processing Poses a Present Threat 19911st Prize Christine L Chinni Western New England College School of Law Droit D Auteur Versus the Economics of Copyright Implications for American Law of Accession to the Berne Convention 2nd Prize Jonathan Z King Harvard Law School The Anatomy of a Jazz Recording Copyrighting America s Classical Music 3rd Prize Leslie J Hagin University of Texas at Austin School of Law A Comparative Analysis of Laws Applied to Fashion Works Renewing the Proposal for Folding Fashion Works Into the United States Copyright Statute 4th Prize John Gastineau Indiana University School of Law Bent Fish Issues of Ownership and Infringement in Digitally Processed Images 5th Prize Montgomery Frankel University of San Francisco School of Law From Kroft to Shaw and Beyond The Shifting Test for Copyright Infringement in the Ninth Circuit     *Intellectual Property Law Core Text* Jennifer Davis, 2012-05-03 This book provides students with a basic understanding of intellectual property law Covering the six main areas of patents copyright industrial designs confidential information unregistered and registered trademarks it places intellectual property in its wider context

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