

Acknowledgements

Whenever I put my hands on a new ‘literary work’, I tend to read the acknowledgements section first. In the case of what were once PhD dissertations, this is often (not to say, invariably) structured as follows. Thanks go first to the author’s supervisor for his/her ‘invaluable support’. Then it is the turn of other advisors the new doctor has been so blessed to meet along his/her path. Finally, it is time to thank friends, family and, last but not least, the author’s partner who has been invariably so supportive and patient as to read and comment upon every single page of this new *Ulysses*.

My acknowledgements section might have indeed followed this scheme. But, instead, I have decided to go a little astray in my application of this customary pattern. I am confident that this will allow me to claim at least a certain – yet modicum – degree of originality for the sake of copyright protection.

This *Originality in EU Copyright* may not be the new must-have accessory in the realm of copyright fashion this season. However, please do permit me to draft my acknowledgements as a backward journey (sort of a short *memoir*, if you will) through the time I have spent as a PhD candidate at the European University Institute, whilst researching and writing about the intoxicating topic of originality and EU copyright harmonization, from this the present contribution has ultimately emerged.

When I first thought of embarking on a PhD adventure, I was in Cambridge undertaking my LLM studies. For some, it may be easy to think that I took this resolution under the malicious effects of too much sherry and other decadent delights. As far as I remember, this was not the case. Instead, I fancied going for a PhD because – besides the college formal halls and May Balls – I was thoroughly enjoying being immersed in the study of copyright law. As such, the first person I feel indebted to is indeed Professor Lionel Bently, who supervised me during the preparation of my LLM dissertation. This concerned the charming principle known as the idea/expression dichotomy. Although at the time I was not as fluent in Shakespeare’s language as I am now, and not nearly as skilled in the art of copyright as I currently pretend to be, Lionel patiently allowed me to grasp his passion and enthusiasm for this area of

the law. Working with him was truly inspiring and a decisive step towards what came next.

After Cambridge, I arrived at the European University Institute. Here I met my supervisor-to-be: Professor Giovanni Sartor. At that time I could not have begun to imagine how prolific my time in Florence would have been. Thanks to Giovanni's friendly guidance and constant encouragement, I gained confidence and was given the possibility to develop my research interests in a context of absolute trust and intellectual freedom.

During my time in the enchanting world of copyright, I started to become familiar with the names and writings of great IP characters, whom I also eventually got to meet in person. When given my first chance to meet Professor Jeremy Phillips, I remember being just about as happy as I would have been, aged thirteen, had I just been told that I was about to meet a member of *Take That* (Jason, preferably). Jeremy's enthusiasm is infectious, and his wit and knowledge of IP have been – and still are – a constant source of inspiration. I am deeply indebted to Jeremy for all his constant support and help.

Thanks to my activity as a blogger for the *IPKat* and *The 1709 Blog*, I have had the chance to get in touch with enthusiastic IP folks, whose comments, insights and criticisms have allowed me to learn and, possibly, improve. Some of these readers even devoted time to reading my PhD thesis, and provided me with valuable suggestions. In particular, I would like to thank The Hon Mr Justice Richard Arnold, Lucky Belder, Stefan Kulk, Dominic McGonigal, Ben Hawes and his colleagues at the UK Intellectual Property Office, Peter Munkacsi, Tommy Ruane, and Trevor Cook for their help, which I appreciated greatly.

Needless to say that, if it is true that no man is an island, this truth applies to copyright lawyers, too. Indeed, amongst the non-IP people who have always been at my side with their love, patience, and curiosity, I cannot but mention and be particularly thankful to my parents.

Now, I guess it is high time for my thesis dedication.

As this is a work about the recent past and the making of copyright future at the EU level, some copyright-enthusiasts might think that I wished to dedicate my 'own intellectual creation' to those at Curia, who have been mostly involved in copyright cases lately. Dedicating my work to Advocate General Paolo Mengozzi would be therefore a great choice (and presumably fairly original, too), but it would fail to recognize and pay due tribute to what has been my mood and spirit whilst writing this work.

As a young woman, I am concerned with the future, but not only that of copyright. In relation to this, I am always impressed by stories of

people who are able to beautifully represent the old and wise Latin motto *Homo faber suae quisque fortunae* ('every man is the maker of his own destiny').

This is what I have felt most deeply whilst researching and writing my PhD thesis. The future of the law (and particularly of copyright) is a matter of willingness, as is the fate of men. Therefore, I dedicate this little work of mine to my brother, Carlo Maria, whom I not only love tenderly, but whom I also admire for his courage, capacity and enthusiasm in constantly seizing and shaping the future he has been dreaming of.

Eleonora Rosati
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