Bibliography


Alexander, I, ‘The concept of reproduction and the “temporary and transient” exception’ (2009) CLJ 520

Anderson, D, *References to the European Court* (1st edn, Sweet & Maxwell 1995)

Anderson, J, ‘The curious case of the Portsmouth publican: challenging the territorial exclusivity of TV rights in European professional sport’ (2011) 3 ISLR 53


Arnold, R, ‘Content copyrights and signal copyrights: the case for a rational scheme of protection’ (2011) 1 QMJIP 272

Arnult, A, *The European Union and its Court of Justice* (OUP 1999)


Baden-Powell, E, ‘Think before you link: yesterday’s news – today’s copyright conundrum’ (2011) CTLR 25

Barker, E and Harding, I, ‘Copyright, the ideas/expression dichotomy and harmonization: digging deeper into SAS’ (2012) 7(9) JIPLP 673

241
Barnier, M ‘To be or not to be: Copyright makes all the difference’, in L’Ingénieur Conseil – Intellectual Property (ICIP) (ed), *The future prospects for intellectual property in the EU: 2012–2022* (Gevers 2011) 13

Barroso, JM, *Political Guidelines for the Next Commission*, 3 September 2009


Beldiman, D, *Functionality, information works, and copyright* (Lulu.com 2008)

Bently, L, ‘Copyright and the death of the author in literature and law’ (1994) 57 MLR 973


Burkitt, D, ‘Copyrighting culture – the history and cultural specificity of the Western model of copyright’ (2001) 2 IPQ 146

Cairns, P and Blakeney, S, ‘1-0 to Football Dataco Ltd – the organizers of professional football matches take the lead in the battle to prevent the unauthorised use of their fixture lists’ (2010) 3/4 ISLR 57


Challis, B, ‘US content industry and ISPs to inform and alert’ (The 1709 Blog, 8 July 2011) <http://tinyurl.com/bd852pj> accessed 14 June 2013


Clark, S, ‘Just browsing? An analysis of the reasoning underlying the Court of Appeal’s decision on the temporary copies exemption in Newspaper Licensing Agency Ltd v Meltwater Holding BV’ (2011) 33 EIPR 725


Cook, T, *EU intellectual property law* (OUP 2010)
Cook, T, ‘Football Dataco. Implications for copyright subsistence’ (2012) April PLC 8
Cook, T and Derclaye, E, ‘An EU Copyright Code: what and how, if ever?’ (2011) 3 IPQ 259
Cornish, WR, ‘Sound recordings and copyright’ (1993) 24 IIC 306
Craig, P and Búrca, G de, *EU law. Text, cases and materials* (5th edn, OUP 2011)
Cran, D and Joseph, P, ‘Football Dataco: fixture lists not protected by database copyright’ (2012) 23 Ent LR 149
Davies, G, *Copyright and the public interest* (2nd edn, Sweet & Maxwell 2002)
Davis, J and Durant, A, ‘To protect or not to protect? The eligibility of commercially used short verbal texts for copyright and trademark protection’ (2011) 4 IPQ 345
Derclaye, E, ‘Football Dataco: skill and labour is dead!’ (Kluwer Copyright Blog, 1 March 2012) <http://tinyurl.com/7qgj8wm> accessed 14 June 2013
De Sanctis, VM, *Il diritto d’autore* (Giuffré 2012)
Dietz, A, *Copyright law in the European Community* (Sijthoff & Noordhoff 1978)
Doukas, D, ‘The Sky is not the (only) limit: sports broadcasting without frontiers and the Court of Justice: comment on Murphy’ (2012) 37 EL Rev 605

Eechoud, M van, ‘Another piece of the puzzle, or is it? CJEU on photographs as copyright works’ (Kluwer Copyright Blog, 7 December 2011) <http://tinyurl.com/bcr2d5d> accessed 14 June 2013

Eechoud, M van, ‘Along the road to uniformity – Diverse readings of the Court of Justice judgments on copyright work’ (2012) 3 JIPITEC 60

Eechoud, M van, Hugenholtz, PB, Gompel, S van, Guibault, L and Helberger, N, *Harmonizing European copyright law. The challenges of better law making* (Kluwer Law International 2009)


Foster, NG, *EU law directions* (OUP 2008)


Garnett, K, Davies, G and Harbottle, G, *Copinger and Skone James on Copyright* (16th edn, Sweet & Maxwell 2012)


Gervais, DJ, ‘The compatibility of the skill and labour standard with the Berne Convention and the TRIPs Agreement’ (2004) 26 EIPR 75

Gervais, DJ and Derclaye, E, ‘The scope of computer program protection after SAS: are we closer to answers?’ (2012) 34 EIPR 565


Griffiths, J, ‘Unsticking the centre-piece – The liberation of European copyright law?’ (2010) 1 JIPITEC 87
Guibault, L, ‘Has the directive achieved its goals of harmonisation and greater legal certainty?’, presentation at InfoSoc @ Ten. Ten years after the EU Directive on Copyright in the Information Society: looking back and looking forward, CRIDS – IviR conference, hosted by Marielle Gallo (Member of the European Parliament), European Parliament, Brussels, 13 January 2012
Hegel, GWF, Grundlinien der Philosophie des Rechts (1820), English Translation, in Wood, AW (ed), Elements of philosophy of right (CUP 1991)
Helberger, N, Dufft, N, Gompel, S van and Hugenholtz, PB, ‘Never forever: why extending the term of protection for sound recordings is a bad idea’ (2008) EIPR 174
Originality in EU copyright

Institute for Intellectual Property, Competition & Tax Law Research Paper Series No 08/05

Hishinuma, T, ‘The scope of formalities in international copyright law in a digital context’, in Bently, L, Suthersanen, U and Torremans, P (eds), Global copyright. Three hundred years since the Statute of Anne, from 1709 to cyberspace (Edward Elgar Publishing 2010) 460

Hobson, A, ‘Newspaper Licensing Agency Ltd v Meltwater Holdings BV’ (2011) Ent LR 101

Höppner, T, ‘Reproduction in part of online articles in the aftermath of Infopaq (C-5/08): Newspaper Licensing Agency Ltd v Meltwater Holding BV’ (2011) 33 EIPR 331


Hugenholtz, PB, ‘Why the Copyright Directive is unimportant, and possibly invalid’ (2000) 22 EIPR 499


Hugenholtz, PB, ‘Harmonization or unification of copyright in the EU?’, presentation at InfoSoc @ Ten. Ten years after the EU Directive on Copyright in the Information Society: looking back and looking forward, CRIDS – IviR conference, hosted by Marielle Gallo (Member of the European Parliament), European Parliament, Brussels, 13 January 2012

Hugenholtz, PB, ‘Harmonization or unification of EU copyright law’ in Axhamm, J (ed), Copyright in a borderless online environment (Kluwer Law International 2012) 189


Hughes, J, ‘The photographer’s copyright – photograph as art, photograph as database’ (2011) Benjamin N Cardozo School of Law, Yeshiva
Bibliography

University, Jacob Burns Institute for Advanced Legal Studies, Faculty Research Paper No 347, November 2011


Joint Academic Statement by the Centre for Intellectual Property Policy and Management (CIPPM, Bournemouth University) – Centre for Intellectual Property and Information Law (CIPIL, Cambridge University) – Institute for Information Law (IViR, University of Amsterdam) – Max Planck Institute for Intellectual Property, Competition and Tax Law (Munich), The proposed directive for a copyright term extension – A backward-looking package (2008)


Judge, EF and Gervais, D, ‘Of silos and constellations: comparing notions of originality in copyright law’ (2009) 27 Cardozo Arts & Ent LJ 375


Kaplan, B, An unhurried view of copyright (Columbia University Press 1967)


Kawashima, N, ‘The rise of “user creativity” – Web 2.0 and a new challenge for copyright law and cultural policy’, presentation at the
annual congress of the Society for Economic Research on Copyright Issues (SERCI), Berkeley, 9–10 July 2009


Kroes, N, ‘Addressing the orphan works challenge’, speech at IFRRO (The International Federation of Reproduction Rights Organisations) launch of ARROW+ (Accessible Registries of Rights Information and Orphan Works towards Europeana), Brussels, 10 March 2011, SPEECH/11/163

Kroes, N, ‘Good for artists, good for consumers, good for the economy’, speech at CISAC World Copyright Summit, Brussels, 7 June 2011, SPEECH/11/413


Kroes, N, ‘What does it mean to be open online?’, speech at World Wide Web Conference 2012, Lyon, 19 April 2012, SPEECH/12/275

Kroes, N, ‘Copyright and innovation in the creative industries’, speech at The 2012 intellectual property and innovation summit, The Lisbon Council Brussels, 10 September 2012, SPEECH/12/592

Kroes, N, ‘Digital technology and copyright can fit together’, Brussels, 4 February 2013, SPEECH/13/96


Laddie, H, ‘Copyright: over-strength, over-regulated, over-rated?’ (1996) 5 EIPR 253


Laddie, H, Prescott, P, Vitoria, M et al., The modern law of copyright and designs (4th edn, LexisNexis 2011)
Lai, S, The copyright protection of computer software in the United Kingdom (Hart Publishing 2000)
Laurent, P, ‘Belgian Supreme Court: against the tide of CJEU’s case law on “originality”?’ (Kluwer Copyright Blog, 6 March 2012) <http://tinyurl.com/auq8oc5> accessed 14 June 2013
Leenheer Zimmerman, D, ‘It’s an original!(!): in pursuit of copyright’s elusive essence’ (2005) 28 Colum J L & Arts 187
Lewinski, S von, ‘EC proposal for Council directive harmonizing the term of protection of copyright’ (1992) 23 IIC 785
Lewinski, S von, International copyright law and policy (OUP 2008)
Litman, J, ‘Real copyright reform’ (2010) 96 IoLR 1
Lucas, A and Lucas, HJ, Traité de la propriété littéraire et artistique (3rd edn, Litec 2006)
MacQueen, H, Waelde, C and Laurie, G, Contemporary intellectual property. Law and policy (1st edn, OUP 2008)
McGuinness, P, ‘Digital downloads: the “age of free” is coming to an end’ (The Telegraph, 8 July 2011) <http://tinyurl.com/3lw5tmy> accessed 14 June 2013
Michalos, C, The law of photography and digital images (Sweet & Maxwell 2004)
Minero, G, ‘Did the Database Directive actually harmonize the database copyright? Football Dataco Ltd v Brittens Pools Ltd and the ECJ’s
rules against subsistence of database copyright in fixture lists’ (2012) 34 EIPR 728
Monseau, S, “‘Fit for purpose’: why the European Union should not extend the term of related rights protection in Europe’ (2009) 19 Fordham Intell Prop Media & Ent LJ 629
Montagnon, R and Shillito, M, ‘Requirements for subsistence of database copyright and other national copyright in databases referred to the ECJ: Football Dataco Ltd v Yahoo!’ (2011) 33 EIPR 324
Ng, A, *Copyright law and the progress of science and the useful arts* (Edward Elgar 2011)
Ong, B, ‘Originality from copying: fitting recreative works into the copyright universe’ (2010) 2 IPQ 165
Pallante, M, ‘The next great copyright act’ (2013) 36(3) Colum JL & Arts 315
Patry, W, *How to fix copyright* (OUP 2011)
Pats, J, ‘Originality standard as applied to photographs and other derivative works: a need for change’ (2006) 17(2) NYSBA Entertainment, Arts and Sports Law Journal 37
Patterson, LR, *Copyright in historical perspective* (Vanderbilt University Press 1968)
Pila, J, ‘Copyright and its categories of original works’ (2010) 30 OJLS 229
Pila, J, ‘Copyright and internet browsing’ (2012) 128 LQR 204
Prime, T, European intellectual property law (Ashgate 2000)
Prinsley, MA and Byrt, S, ‘Lucasfilm fails to find the force’ (2011) 105 Euro Law 14
Rahmatian, A, ‘The concepts of “musical work” and “originality” in UK copyright law – Sawkins v Hyperion as a test case’ (2009) 40 IIC 560
Rahmatian, A, ‘Copyright protection for restoration, reconstruction and digitization of public domain works’, in Derclaye, E (ed), Copyright and cultural heritage: preservation and access to work in a digital world (Edward Elgar Publishing 2010) 51
Rahmatian, A, Copyright and creativity. The making of property rights in creative works (Edward Elgar Publishing 2011)
Rahmatian, A, ‘Originality in UK copyright law: the old “skill and labour” doctrine under pressure’ (2013) 44 IIC 4
Reding, V, speech at IDATE Conference (Montpellier, 21 November 2005)
Reding, V, speech at Visby Agenda: Creating an Impact for an eUnion 2015 (Visby, 9 and 10 November 2009)
Originality in EU copyright

Ricketson, S, ‘Threshold requirements for copyright protection under the international conventions’ (2009) 1 WIPOJ 51
Rosati, E, ‘Originality in US and UK Copyright Experiences as a Springboard for an EU-Wide Reform Debate’ (2010) 5 IIC 524–543
Rosati, E, ‘The Hargreaves Report and copyright licensing: can national initiatives work per se?’ (2011) 33 EIPR 673
Rosati, E, ‘ISPs’ six strikes enforcement plan in force next July’ (The 1709 Blog, 15 March 2012) <http://tinyurl.com/axkr82g> accessed 14 June 2013
Rosati, E, ‘ISPs’ six strikes enforcement plan delayed’ (The 1709 Blog, 20 May 2012) <http://tinyurl.com/axkr82g> accessed 14 June 2013
Rosati, E, ‘The Orphan Works Directive, or throwing a stone and hiding the hand’ (2013) 8 (4) JIPLP 303
Rosati, E and Rosati, CM, ‘Copyright in diagnostic tests: not death time for fair use yet’ (2012) 7 JIPLP 510
Rose, M, Authors and owners. The invention of copyright (Harvard University Press 1993)
Samuelson, P, Vinje, T and Cornish, W, ‘Does copyright protection under the EU Software Directive extend to computer program behaviour, languages and interfaces?’ (2012) 34 EIPR 158
Sawdy, C, ‘High Court decision revisits protection of databases in the United Kingdom – Football Dataco Ltd v Brittens Pools Ltd’ (2010) Ent LR 221
Scanlon, L, ‘Government must change copyright law to protect website browsing’ (2013) 35 EIPR 63
Schütze, R, ‘Supremacy without pre-emption? The very slowly emergent doctrine of Community pre-emption’ (2006) 43 CML Rev 1023
Senftleben, MRF, ‘Bridging the differences between copyright’s legal traditions – the emerging EC fair use doctrine’ (2010) 57 J Copyr Socy 521
Originality in EU copyright

Seville, C, *EU intellectual property law and policy* (Edward Elgar Publishing 2009)

Shapiro, T and Lindner, B, ‘More football in pubs: European Union – Court of Justice (Grand Chamber) *Football Association Premier League Ltd and Others v QC Leisure and Others* (C-403/08) and *Karen Murphy v Media Protection Services Ltd* (C-429/08)’ (2013) 3 QMJIP 43


Simon, DA, ‘Culture, creativity, & copyright’ (2011) 29 Cardozo Arts & Ent LJ 279


Smith, J and Silver, J, ‘FA Premier League down at half-time in European Championship: Advocate General finds that territorial exclusivity agreements relating to the transmission of football matches are contrary to EU law’ (2011) 33 EIPR 399

Smith, S and Maxwell, A, ‘Premier League football cases: linguistic tactics, non-naked match feeds and the away goals rule’ (2012) 18 CTLR 33


Stanganelli, M, ‘Spreading the news online: a fine balance of copyright and freedom of expression in news aggregation’ (2012) 34 EIPR 745


Stolfi, N, *Il diritto d’autore* (Società Editrice Libraria 1932)


Torremans, P, ‘Copyright territoriality in a borderless online environment’, in Axhamm, J (ed), *Copyright in a borderless online environment* (Kluwer Law International 2012) 23

Treacy, P and George, D, ‘Football broadcasting: Advocate General opines that internal market freedoms trump copyright’ (2011) 6 JIPLP 614

Tritton, G, ‘Articles 30 and 36 and intellectual property: is the jurisprudence of the ECJ of an ideal standard?’ (1994) 16 EIPR 422


Vassiliou, A, ‘Culture and copyright in the digital environment’, Brussels, 4 February 2013, SPEECH/13/94

Vermazen, B, ‘The aesthetic value of originality’ (1991) 16 MISP 266


Vousden, S, ‘Apis, databases and EU law’ (2011) IPQ 215

Weiler, JHH, ‘Community, Member States and European integration: is the law relevant?’ (1982) 21 J Common Mkt Stud 39


Weston, S, ‘Software interfaces – stuck in the middle: the relationship between the law and software interfaces in regulating and encouraging interoperability’ (2012) 43 IIC 427


Wood, A, ‘The CJEU’s ruling in the Premier League pub TV cases – the final whistle beckons: joined cases Football Association Premier League Ltd v QC Leisure (C-403/08) and Murphy v Media Protection Services Ltd (C-429/08)’ (2012) 34 EIPR 203

Zemer, L, *The idea of authorship in copyright* (Ashgate 2007)