

Cambridge University Press

978-1-107-04182-0 - Concepts of Property in Intellectual Property Law

Edited by Helena R. Howe and Jonathan Griffiths

Table of Contents

[More information](#)

## CONTENTS

<i>List of tables</i>	page vii
<i>List of contributors</i>	viii
<i>Acknowledgements</i>	x

Introduction 1

HELENA R. HOWE AND JONATHAN GRIFFITHS

**PART I Intellectual property as property? 9**

- |   |   |     |
|---|---|-----|
| 1 | On the prehistory of intellectual property  | 11  |
|   | ALAIN POTTAGE AND BRAD SHERMAN  |     |
| 2 | Property in brands: the commodification of conversation                                 | 29  |
|   | DEV S. GANGJEE  |     |
| 3 | Trade secrets: ‘intellectual property’ but not ‘property’?                              | 60  |
|   | LIONEL BENTLY   |     |
| 4 | Equity, confidentiality and the nature of property                                      | 94  |
|   | ALASTAIR HUDSON   |     |
| 5 | How much ‘property’ is there in intellectual property? The German civil law perspective | 116 |
|   | THOMAS DREIER   |     |
| 6 | Properties of copyright: exclusion, exclusivity, non-interference and authority         | 137 |
|   | HUGH BREAKEY  |     |
| 7 | Alienability and copyright law  | 161 |
|   | SHYAMKRISHNA BALGANESH  |     |

Cambridge University Press

978-1-107-04182-0 - Concepts of Property in Intellectual Property Law

Edited by Helena R. Howe and Jonathan Griffiths

Table of Contents

[More information](#)

vi

## CONTENTS

- PART II Re-shaping intellectual property rights: the role of concepts from wider property law 183**
- 8 Limiting copyright through property 185  
MICHAEL A. CARRIER
- 9 Property concepts in European copyright law: the case of abandonment 205  
ROBERT BURRELL AND EMILY HUDSON
- 10 The concept of the anticommons: useful, or ubiquitous and unnecessary? 232  
DAVID LAMETTI
- 11 The commons as a reverse intellectual property – from exclusivity to inclusivity 258  
SÉVERINE DUSOLLIER
- 12 Property, sustainability and patent law – could the stewardship model facilitate the promotion of green technology? 282  
HELENA R. HOWE
- Index* 306