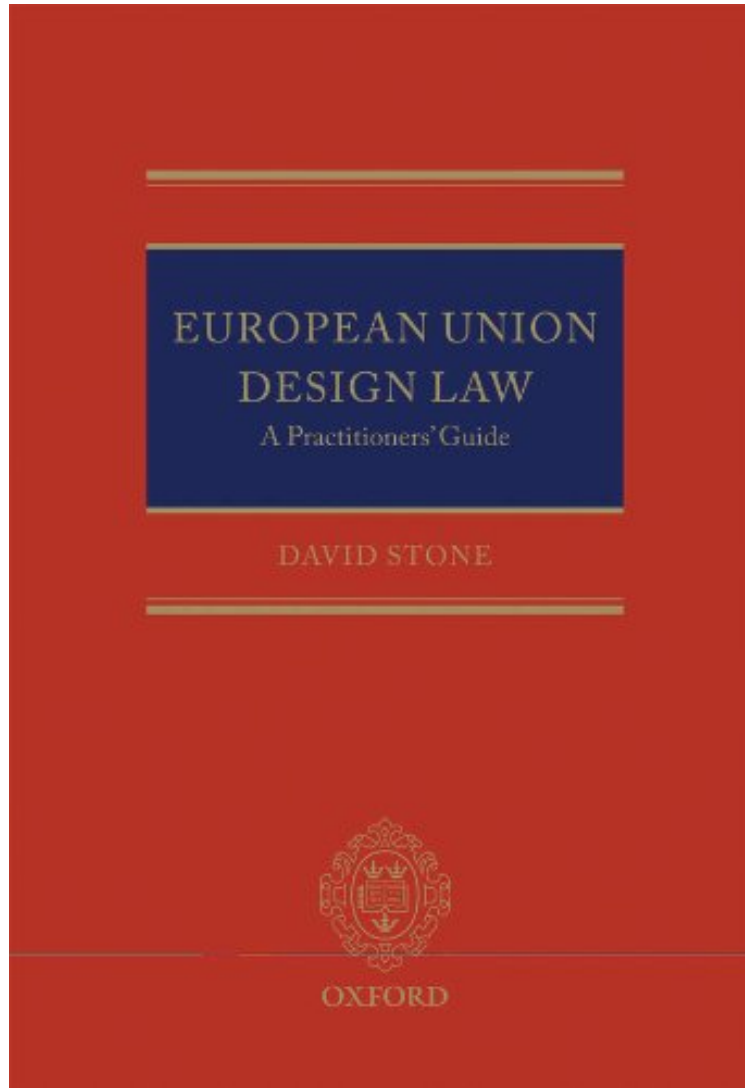


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European Union Design Law: A Practitioners' Guide

Von David Stone

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Von David Stone : European Union Design Law: A Practitioners' Guide before purchasing it in order to gage whether or not it would be worth my time, and all praised European Union Design Law: A Practitioners' Guide:

KundenrezensionenHilfreichste Kundenrezensionen1 von 1 Kunden fanden die folgende Rezension hilfreich. Design Law across the EU...Von Phillip Taylor MBE[[VIDEOID:moJ700TRO7QD94]]A THOROUGH AND PRACTICAL EXAMINATIONAn appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green ChambersAt the heart of the developed world is design. Virtually everything we do - and when and where we do it: eat, sleep, work, or play -- within, under, over, above, or outside of a particular space -- is based on, or dependent on design.This is a legal

text on design law in the European Union and as the subtitle indicates, it is definitely a practitioner's guide - and of special interest of course, to IP practitioners. The focus is on European community design rights and harmonized law across the EU on registered designs. Author David Stone, an acknowledged expert in this field, points out that such additional rights as trademarks, copyright and unfair competition/passing off are not dealt with in this volume. Language problems and jurisdictional differences notwithstanding, his purpose is 'to delve deeply into the law that is available and where it is not, to suggest what the answer might one day be found to be'. Writing in the foreword, Antonio Campinos, President of the OHIM [Office for Harmonization in the Internal Market (Trademarks and Designs)] refers to the problems created by design law differing from country to country across the EU, adding that as design law has not been harmonized internationally, it has long been the "poor child" of intellectual property protection. However, he goes on to remark that the absence of international harmonization has its advantages, chief of which is that it allows contracting parties to invent new laws that protect adequately by taking new and emerging realities into account. The prime example is the adoption by the European Union of the Design Directive, harmonizing the laws of the EU Member States and the Regulation on the Community Design. The Directive therefore acknowledges the importance of design in differentiating products, thereby protecting their commercial value. Putting all this in historical perspective, while at the same time, placing it in its modern context, the book first of all provides an historic overview of the evolution of the legislation and goes on to provide an authoritative and thorough examination of all aspects of the complex new legislation. Over twenty-three chapters the book covers all pertinent aspects of this wide-ranging subject, from the aims of the EU-wide legislation to infringement and remedies. The final chapter presents the Design Directive itself and there are two very useful case studies. Bearing in mind the complexity of the subject, the book is easily navigable with numbered paragraphs throughout to which the twenty-six page index handily cross refers. The extensive tables of EU-wide legislation and cases provide ample avenues for further research as does the Comparative Table of the Directive and the Regulation. In all, the author's scholarly and practical approach to this important subject should establish this volume as an indispensable acquisition for all practitioners, particularly those specializing in intellectual property. The publication date is cited as at July 2012.

Kurzbeschreibung Recent years have seen many fundamental changes in European designs law, including the emergence of the Designs Directive in 1998 and the Designs Regulation in 2001. These pieces of legislation introduce major changes to the protection of industrial and ornamental designs throughout the European Union. Many issues covered in the legislation remain unlitigated, or guidance has not yet been provided by superior tribunals. European Union Design Law provides a much-needed guide to the new law and practice. Beginning with a short history of the development of the legislation, Stone moves on to a detailed examination of the interpretation provided by OHIM, the Court of Justice and the General Court, and the Community Design Courts of the EU Member States. Separate chapters deal with RCD filing and invalidity, unregistered Community designs, the implementation of the Designs Directive by the member states, and the complex jurisdictional web for enforcing pan-EU rights. **Pressestimmen** The author's scholarly and practical approach to this important subject should establish this volume as an indispensable acquisition for all practitioners, particularly those specializing in intellectual property. Phillip Taylor, Stone's wide-ranging use of national and European case law to back up his positions makes the book a trove of useful information for anyone interested in design law ... More than that, though, the book is a pleasure to read. Stone has shown himself to be an able and accomplished guide. Angela Fox, ITMA Insider With his superb writing style and astonishing economy of words, David has managed in an incredibly short book to fully explain the whole law, making it clear in magisterially concise manner whether he is describing settled law, law in flux, law where there is still room for doubt, or (as happens not infrequently) law where he considers that some existing decisions are in error. The reader is left in no doubt as to David's view on every single issue, and will have cause to disagree with him only very occasionally. Darren Smyth, IPKat weblog If you have any interest in design law and were not lucky enough to get a review copy, go and buy it! Darren Smyth, IPKat weblog this comprehensive review of Community design law will be a very welcome addition to many practitioners' bookshelves. Giles Parsons, Journal of Intellectual Property Law and Practice **Kurzbeschreibung** Recent years have seen many fundamental changes in European designs law, including the emergence of the Designs Directive in 1998 and the Designs Regulation in 2001. These pieces of legislation introduce major changes to the protection of industrial and ornamental designs throughout the European Union. Many issues covered in the legislation remain unlitigated, or guidance has not yet been provided by superior tribunals. European Union Design Law provides a much-needed guide to the new law and practice. Beginning with a short history of the development of the legislation, Stone moves on to a detailed examination of the interpretation provided by OHIM, the Court of Justice and the General Court, and the Community Design Courts of the EU Member States. Separate chapters deal with RCD filing and invalidity, unregistered Community designs, the implementation of the Designs Directive by the member states, and the complex jurisdictional web for enforcing pan-EU rights.