

Public Rights

Copyright's Public Domains

Graham Greenleaf

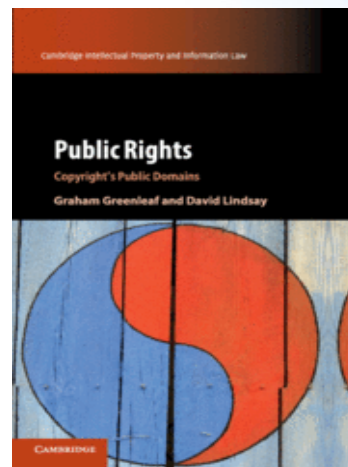
University of New South Wales, Sydney

David Lindsay

University of Technology Sydney

Access to works in the public domain is an important source of human creativity and autonomy, whether in the arts, scientific research or online discourse. But what can users actually do with works without obtaining the permission of a copyright owner? Readers will be surprised to find how many different kinds of permitted usage exist around the world. This book offers a comprehensive international and comparative account of the copyright public domain. It identifies fifteen categories of public rights and gives a detailed legal explanation of each, showing how their implementation differs between jurisdictions. Through this analysis, the authors aim to restore balance to copyright policy debates, and to contribute to such debates by making practical law reform proposals. A major intervention in the field of intellectual property law and copyright, this book will appeal to lawyers, scholars and those involved in the administration of copyright law.

Foreword; Preface and acknowledgements; Table of international agreements; Part I. What is the Copyright Public Domain?: 1. The copyright public domain - a new approach; 2. A definition of the copyright public domain; 3. Categories of public rights; Part II. Constraints and Supports, Global and National: 4. The global public domain – limits imposed by international law; 5. The global public domain - exceptions and enforcement; 6. National public domains - supports and constraints; Part III. Public Domains: Categories: 7. Works outside copyright protection - part I; 8. Works outside copyright protection - part II; 9. Works where copyright has expired; 10. Non-infringing uses of protected works; 11. Copyright exceptions and limitations - comparative approaches; 12. Copyright exceptions and limitations - categories; 13. Compulsory licensing - variations; 14. Compulsory licensing - subject areas; 15. Voluntary licensing creating public rights; 16. The de facto public domain - internet-enabled public rights; Part IV. Conclusions: 17. Reform agendas for the public domain; Bibliography; Index.



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'Greenleaf and Lindsay's insightful, original and comprehensive examination of the breadth of the public domain is an exceptional achievement. A must-read for anyone concerned with copyright, creativity, and cultural heritage.'

Michael Geist,
University of Ottawa



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