



Intellectual Property: Law & the Information Society - Cases & Materials: An Open Casebook: 2nd Edition 2015

James Boyle, Jennifer Jenkins

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Intellectual Property: Law & the Information Society - Cases & Materials 2nd Edition (2015). This open coursebook is an introduction to intellectual property law, the set of private legal rights that allows individuals and corporations to control intangible creations and marks—from logos to novels to drug formulae—and the exceptions and limitations that define those rights. It focuses on the three main forms of US federal intellectual property—trademark, copyright and patent, with a new chapter on state trade secret protection and preemption—but many of the ideas discussed here apply far beyond those legal areas and far beyond the law of the United States.

The book is intended to be a textbook for the basic Intellectual Property class, but because it is an open coursebook, which can be freely edited, customized, copied and shared, it is also suitable for undergraduate classes, or for a business, library studies, communications or other graduate school class. A free downloadable version can be found at the Duke Center for the Study of the Public Domain website. Each chapter contains a clear introduction to the field, cases and secondary readings illustrating the structure and conflicts in the theory and doctrine of intellectual property, followed by questions to test the student's understanding. Every chapter is built around a set of problems or role-playing exercises involving the material. The problems range from a video of the Napster oral argument, with the students asked to take the place of the lawyers, to exercises counseling clients about how search engines and trademarks interact, to discussions of the First Amendment's application to Digital Rights Management or the Supreme Court's new rulings on gene patents. The readings include writers as diverse as John Locke, Mark Twain, Victor Hugo, Thomas Babington Macaulay and John Perry Barlow, former lyricist for the Grateful Dead.

This edition is current as of July 1, 2015. It includes discussions of such issues as the Redskins' trademark cancellation (and the light thrown on it by the recent “Slants” case), the Google Books case and the America Invents Act's changes to patent law. It is designed to be used with Boyle & Jenkins, *Intellectual Property: Selected Statutes and Treaties, 2015 Edition*, [ISBN: 1514119048] which is also available both as a freely downloadable Open Coursebook and a high quality, low-cost paperback.

About the Authors

James Boyle is William Neal Reynolds Professor of Law at Duke Law School and the former Chairman of the Board of Creative Commons. His other books include *The Public Domain: Enclosing the Commons of the Mind*

Jennifer Jenkins is Senior Lecturing Fellow at Duke Law School and the Director of the Center for the Study of the Public Domain. Her recent articles include *In Ambiguous Battle: The Promise (and Pathos) of Public Domain Day*, and *Last Sale? Libraries' Rights in the Digital Age*.

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