



Form in Intellectual Property Law

David Booton, University of Manchester, UK

This book sets out to expose, analyse and evaluate the conflicting conceptions of legal judgment that operate in intellectual property law. Its central theme is the opposition between law-making by way of the creation of generally applicable rules and law-making done at the point of application through case-by-case decisions tailored to the particulars of individual circumstances. Through an exploration of form, the analysis sets out to provide insights into how intellectual property law achieves a balance between various competing interests.

'Form in Intellectual Property Law is erudite, wide-ranging and original. Engagingly written, it casts interesting new light on a number of fundamental concepts in IP.'

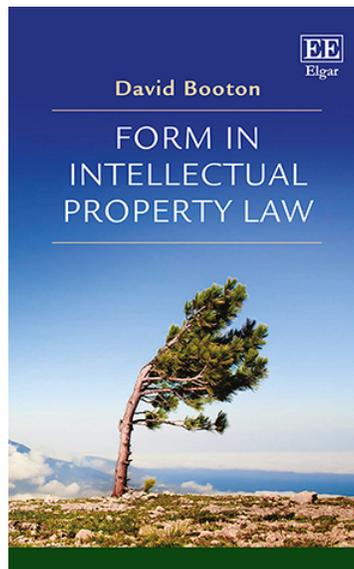
– Jonathan Griffiths, Queen Mary University of London, UK

'In this wide-ranging work, David Booton throws fresh light on the underlying structure of IP law and its mix of hard-edged rules and open-ended standards. The way certainty and flexibility are reconciled to achieve just results is explored through a wealth of examples from case law and legislation. Mr Booton's talent for expounding complex ideas clearly and directly ensures that anyone interested in the field – be they lawyer, scholar, judge, reformer, student, or member of the general public – will come away with a renewed understanding of the law's aspirations, and of its deficiencies. Highly recommended.'

– David Vaver, University of Oxford, UK and Osgoode Hall Law School, York University, Canada

'A fascinating and original insight into the operation of IP law – a must have for anyone serious about the subject'

– Margaret S. Llewelyn, University of Sheffield and Editor, Intellectual Property Quarterly



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