



Is Intellectual Property Pluralism Functional?

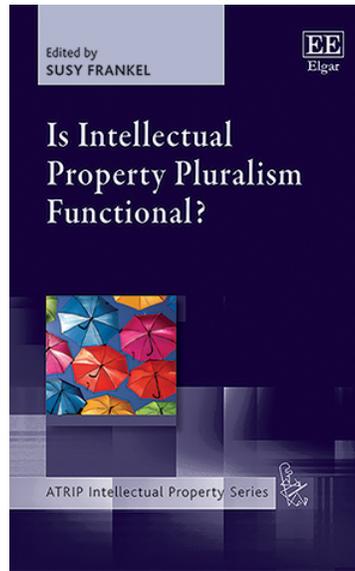
ATRIP Intellectual Property series

Edited by Susy Frankel, Professor of Law, Chair in Intellectual Property and International Trade, Faculty of Law, Victoria University of Wellington, New Zealand

The international intellectual property (IP) law system allows states to develop policies that reflect their national interests. Therefore, although there is an international minimum standards framework in place, states have widely varying IP laws and differing interpretations of these laws. This book examines whether pluralism in IP law is functional when applied to copyright, patents and trademarks on an international basis.

'The question addressed in this book – whether taking a pluralist approach in intellectual property is "functional" in the sense that it yields better results than full and binding harmonisation – touches on one of the most central issues that policymakers, and also scholars, around the world face. As the book impressively demonstrates, the answers are as many as the issues addressed in the chapters, and as individual as the authors, who, as members of ATRIP, represent the intellectual richness and diversity of the global community of intellectual property scholars. However, as, Susy Frankel writes in her introduction, pluralism may remain the preferred choice where that is motivated by economic and cultural diversities, and also where room is needed to "experiment" with new solutions. In any case, the many viewpoints presented in this book provide valuable insights into the dynamic, continuous interaction between international norms and national solutions, and their common evolution.'

Annette Kur, Max Planck Institute, Munich; ATRIP president 2007–2009



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