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Greg Martin, Rebecca Scott Bray, Miiko Kumar

Protection of Broadcasters' Rights Megumi Ogawa, 2006 This book deals with a highly topical area: the protection of broadcasters' rights. It is an area in which the World Intellectual Property Organisation (WIPO) has been working to draft a new treaty and has now reached the final stage for conclusion of the treaty. The author analyses the formation and subsequent development of the legislation for protecting broadcasters' rights, and discusses the current legal issues arising out of current proposals at the international and domestic levels to upgrade that protection. The focus of the work is the international protection of broadcasters' rights as well as in the two jurisdictions which are representative of the two-different approaches to protection: Australia and Japan. This volume provides a detailed account of the relevant international treaties and conventions as well as domestic legislation, and provides insightful arguments that present the optimal approach of the future protection of broadcasters' rights. 'This book is an invaluable contribution to our understanding of the issues relating to the protection of broadcasters' rights. The book provides a comprehensive analysis of the protection of broadcasters' rights based on the differing approaches adopted by the common law and civil law systems'. From the foreword by The Honourable Sir Anthony Mason AC KBE CBE.

Privacy Law in Australia Carolyn Doyle, Mirko Bagaric, 2005 This book begins by examining the nature and scope of the right to privacy and its moral basis and status: What is privacy? What interests does it affect and protect? Is there a justification for the right? Privacy Law in Australia discusses the relevant legal regime in all Australian jurisdictions. It covers the extent to which privacy has been protected under common law and equity and then weaves these principles into the statutory discussion of privacy. It focuses specifically on the most important areas of privacy protection--medical records, communications, criminal investigations and DNA, employment, territory, and do on. Finally, it examines how the law may develop in the future.

Landmark Cases in Privacy Law Paul Wragg, Peter Coe, 2023-02-23 This new addition to Hart's acclaimed Landmark Cases series is a diverse and engaging edited collection bringing together eminent commentators from the United Kingdom, the United States, Australia, Canada, and New Zealand, to analyse cases of enduring significance to privacy law. The book

tackles the conceptual nature of privacy in its various guises, from data protection, to misuse of private information, and intrusion into seclusion. It explores the practical issues arising from questions about the threshold of actionability, the function of remedies, and the nature of damages. The cases selected are predominantly English but include cases from the United States (because of the formative influence of United States' privacy jurisprudence on the development of privacy law), Australia, Canada, the Court of Justice of the European Union, and the European Court of Human Rights. Each chapter considers the reception and application (and, in some instances, rejection) outside of the jurisdiction where the case was decided.

Gurry on Breach of Confidence Tanya Aplin, Lionel Bently, Phillip Johnson, Simon Malynicz, 2012-03-29 Francis Gurry's renowned work, *Breach of Confidence*, published in 1984, was groundbreaking and invaluable in the field of intellectual property as the first text to synthesise the then burgeoning case law on breach of confidence into a systematic form. A highly regarded book, it was the first point of resort for practitioners and a key source for judges. Aplin, Bently, Johnson and Malynicz bring us a new edition of this important work, which remains faithful to the original in its approach, but is fully updated in light of the developments since the first edition. The authors expand upon the original work, in particular adding new material on the history and current relevance of the action for breach of confidence. The authors stress both the advantages and disadvantages of the action for breach of confidence and, like Gurry, they constantly distinguish the action from associated legislative regimes which regulate the access to, acquisition, use and disclosure of information. The book extensively references the many analyses of the data protection regime and considers also issues of jurisdiction and choice of applicable law. Bringing together their particular skills and interests, the three authors produce a fresh re-writing of a highly significant text which retains the academic quality and precision of the original and stakes its claim once more as the leading authority in the field.

Secrecy, Law and Society Greg Martin, Rebecca Scott Bray, Miiko Kumar, 2015-05-08 Commentators have shown how a 'culture of security' ushered in after the terrorist attacks of 11 September 2001 has involved exceptional legal measures and increased recourse to secrecy on the basis of protecting public safety and safeguarding national security. In this context, scholars have largely been preoccupied with the ways that increased security impinges upon civil liberties. While secrecy is justified on public interest grounds, there remains a tension between the need for secrecy and calls for openness, transparency and disclosure. In law, secrecy has implications for the separation of powers, due process, and the rule of law, raising fundamental concerns about open justice, procedural fairness and human rights. Beyond the counterterrorism and legal context, scholarly interest in secrecy has been concerned with the credibility of public and private institutions, as well as the legacies of secrecy across a range of institutional and cultural settings. By exploring the intersections between secrecy, law and society, this volume is a timely and critical intervention in secrecy debates traversing various fields of legal

and social inquiry. It will be a useful resource for academic researchers, university teachers and students, as well as law practitioners and policymakers interested in the legal and socio-legal dimensions of secrecy.

Australian Intellectual Property Law Mark J. Davison, Ann L. Monotti, Leanne Wiseman, 2011-11-18 Intellectual property law in Australia has changed dramatically in the last decade and continues to change. Developments in technology, the rise of the internet, the globalisation of trade and the increasing importance of 'superbrands' - trade marks with global appeal - have all affected the laws surrounding intellectual property. Furthermore, globalisation has resulted in greater pressure on intellectual property owners to expand their rights as they endeavour to capture the potential benefits of ownership in an increasingly affluent and integrated world economy. *Australian Intellectual Property Law*, 2nd edition has been fully revised to take into account these significant case and legislative developments in trademarks, copyright and patents law. This book offers students and legal professionals a detailed discussion of the black-letter aspects of the law, with a primary emphasis on legal principles and complexities.

A Sourcebook on Equity and Trusts in Australia Michael Bryan, Simone Degeling, Scott Donald, Vicki Vann, 2022-12-19 A Sourcebook on Equity and Trusts in Australia presents a selection of relevant cases and instructive commentary to introduce students to the study of Australian equity and trusts law. Designed to follow the structure of the third edition of *Equity and Trusts in Australia*, it can also be used as a freestanding casebook. The third edition has been fully updated to discuss recent landmark decisions, including *Ancient Order of Foresters in Victoria Friendly Society Ltd v Lifeplan Australia Friendly Society Ltd* (2018) 265 CLR 1 and *Smethurst v Commissioner of Police* [2020] HCA 14. Extracts are accompanied by detailed commentary, and additional notes and discussion questions throughout each chapter enhance and test students' understanding of complex cases and issues. Written by a team of experienced authors, *A Sourcebook on Equity and Trusts in Australia* offers an accessible introduction to the application of equity and trusts law.

Contract Law Andrew Stewart, Warren Swain, Karen Fairweather, 2019-06-21 Provides a fresh, topical and accessible account of the Australian law of contract.

Australian Intellectual Property Law Mark Davison, Ann Monotti, Leanne Wiseman, 2016 Updated to include recent important developments in Australian intellectual property law, this is an essential text for students and professionals.

Cambridge Intellectual Property and Information Law: Injunctions Against Intermediaries in the European Union Husovec, Martin,

Injunctions Against Intermediaries in the European Union Martin Husovec, 2017-11-30 This book explores an emerging type of intellectual property remedy - an injunction that can compel innocent third parties to provide enforcement assistance.

Exploring Private Law Elise Bant, Matthew Harding, 2010-09-02 Inspired by recent debate, the purpose of this collection

of essays on private law doctrines, remedies and methods is to celebrate and illustrate the contribution that both 'top-down' and 'bottom-up' methods of reasoning make to the development of private law. The contributors explore a variety of topical subjects, including judicial approaches to 'top-down' and 'bottom-up' methods; teaching trusts law; the protection of privacy in private law; the development of the law of unjust enrichment; the private law consequences of theft; equity's jurisdiction to relieve against forfeiture; the nature of fiduciary relationships and obligations; the duties of trustees; compensation and disgorgement remedies; partial rescission; the role of unconscionability in proprietary estoppel; and the nature of registered title to land.

Remedies in Australian Private Law Katy Barnett, Katy Eloise Barnett, Sirko Harder, 2018-08-07 The second edition of Remedies in Australian Private Law offers readers a clear and detailed introduction to remedies and their functions under Australian law. Clearly structured, with a strong black-letter law focus, the text provides a complete treatment of remedies in common law, equity and statute and develops a framework for understanding the principles of private law remedies and their practical application. This edition has been significantly revised and offers up-to-date coverage of case law and legislation, including the Australian Consumer Law. Building on the detailed treatment of remedies and their broad functions across a range of private law categories, the new edition also offers expanded coverage of vindictory damages, debt, specific restitution and coercive remedies. With its systematic and accessible approach, this text enables students and practitioners to develop a coherent understanding of remedial law, and to analyse legal problems and identify appropriate remedial solutions.

A Conflict Of Laws Companion Andrew Dickinson, Edwin Peel, 2021-06-17 A Conflict of Laws Companion brings together a group of expert authors to write essays in honour of Professor Adrian Briggs QC. Professor Briggs has been teaching in Oxford since 1980, and throughout that period, he has been an instrumental figure in shaping the conflict of laws in the UK and elsewhere and has inspired generations of students (future practitioners and judges) to take a close interest in the subject. His books, including Agreements on Jurisdiction and Choice of Law (OUP, 2008), The Conflict of Laws (4th edn, Clarendon, 2019), and Private International Law in English Courts (OUP, 2015), are among the most widely used and cited texts on the subject. The book is divided into four sections, exploring conflict of laws issues of different kinds and engaging with Professor Briggs' work on a diverse range of topics. Contributions by Professor Briggs' former colleagues build on his work in the conflict of laws and his immeasurable contributions as a teacher and researcher at the University of Oxford, not only to undergraduate teaching, but to his college (St Edmund Hall), the Law faculty, and the university. The book includes short personal submissions from each of the authors, all of whom studied alongside, have been taught or supervised by, or worked closely with Professor Briggs.

Social Media & Electronic Commerce Law Alan Davidson, 2016 Social Media and Electronic Commerce Law investigates

the challenges facing legal practitioners and commercial parties in this dynamic field.

Contemporary Australian Tort Law Joanna Kyriakakis, Tina Popa, Francine Rochford, Natalia Szablewska, Xiaobo Zhao, Jason Taliadoros, Darren O'Donovan, Lowell Bautista, 2024-01-16 Tort law is a dynamic area of Australian law, offering individuals the opportunity to seek legal remedies when their interests are infringed. Contemporary Australian Tort Law introduces the fundamentals of tort law in Australia today in an accessible, student-friendly way.

Remedies for Breach of Privacy Jason NE Varuhas, Nicole Moreham, 2018-10-18 Over the last 15 years, privacy actions have been recognised at common law or in equity across common law jurisdictions, and statutory privacy protections have proliferated. Apex courts are now being called upon to articulate the law governing remedies, including in high-profile litigation concerning phone hacking, covert filming and release of personal information. Yet despite the practical significance of the courts' approach to damages, injunctions and other remedies for breach of privacy, very little has been written on the topic. This book comprehensively analyses these developments from a comparative perspective and provides solutions to issues which are coming to light as higher courts forge this remedial jurisprudence and practitioners look for guidance. Significantly, the essays are important not only for what they say about remedies, but also for the attention they give to the nature of the new privacy actions, providing deep insights into substantive law. The book includes contributions by academics, practitioners and judges from Australia, Canada, England, New Zealand and the United States, who are expert in the legal disciplines implicated by privacy remedies, including torts, equity, public law and conflict of laws. By bringing together this range of perspectives, the book offers authoritative insights into this cutting-edge topic. It will be essential reading for all those seeking to understand and resolve the new issues associated with privacy remedies.

Soft Law and Public Authorities Greg Weeks, 2016-02-25 This book considers the phenomenon of soft law employed by domestic public authorities. Lawyers have long understood that public authorities are able to issue certain communications in a way that causes them to be treated like law, even though these are neither legislation nor subordinate legislation. Importantly for soft law as a regulatory tool, people tend to treat soft law as binding even though public authorities know that it is not. It follows that soft law's 'binding' effects do not apply equally between the public authority and those to whom it is directed. Consequently, soft law is both highly effective as a means of regulation, and inherently risky for those who are regulated by it. Rather than considering soft law as a form of regulation, this book examines the possible remedies when a public authority breaches its own soft law upon which people have relied, thereby suffering loss. It considers judicial review remedies, modes of compensation which are not based upon a finding of invalidity, namely tort and equity, and 'soft' challenges outside the scope of the courts, such as through the Ombudsman or by seeking an ex gratia payment.

A Casebook on the Enforcement of Intellectual Property Rights L.T.C. Harms, World Intellectual Property Organization, 2018-11-05 With this publication, WIPO and the author aim at making available for judges, lawyers and law

enforcement officials a valuable tool for the handling of intellectual property cases. To that effect, the case book uses carefully selected court decisions drawn from various countries with either civil or common law traditions. The extracts from the decisions and accompanying comments illustrate the different areas of intellectual property law, with an emphasis on matters that typically arise in connection with the enforcement of intellectual property rights in civil as well as criminal proceedings.

Australian Business Law 2012 Paul Latimer, 2011 Includes a clear and concise discussion of key topic areas, points of law illustrated by case examples, references to legislation and links to relevant government and statutory body websites.

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