



Intellectual Property and the Common Law

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In this volume, leading scholars of intellectual property and information policy examine what the common law - understood as a method of reasoning, an approach to rule making, and a body of substantive law - can contribute to discussions about the scope, structure, and function of intellectual property. The book presents an array of methodologies, substantive areas, and normative positions, tying these concepts together by looking to the common law for guidance. Drawing on a range of interdisciplinary ideas and principles that are embedded within the working of common law, the volume shows that the answers to many of modern intellectual property law's most puzzling questions may be found in the wisdom, versatility, and adaptability of the common law. The book argues that despite the degree of interdisciplinary specialization that the field today sees, intellectual property is fundamentally a creation of the law; therefore, the basic building blocks of the law can shed important light on what intellectual property can and should (and was perhaps meant to) be.

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