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## **The Law Teacher Book Review**

Intellectual Property Law by Lionel Bently and Brad Sherman, [Oxford University Press, 4<sup>th</sup> Edition, 1,440 pp., £42.99 (paperback)].

Bently and Sherman's much-awaited 4th edition to Intellectual Property Law certainly was worth the wait. As a postgraduate student user of their 1<sup>st</sup> edition around 15 years ago and as a current academic user of their 4<sup>th</sup> edition in an Intellectual Property Law undergraduate law module, this textbook, similar to its prior editions, encapsulates this vast and complicating area of law in refreshingly accessible manner. The extensively detailed discussion on different types of intellectual properties, such as copyright, patent and trademarks etc, under separate sections, and the engaging writing style used, make it convenient for any student to connect with this book effortlessly.

This 4<sup>th</sup> edition includes the recent amendments to intellectual property laws with several rewritten chapters from earlier editions in order to introduce the amendments and to provide objective reviews of them. The updated introductory chapter has taken into account the recent Supreme Court decision on the meaning of 'intellectual property' [Phillips v Mulcaire (2012) EWCA Civ 48], recent literature and new discussion in the fields of justifications and expansion of intellectual property rights. In that regard, the reference made to and engagement with the Neoliberal Economics theories and the Democratic and Republican arguments that have surfaced as alternatives to traditional intellectual property law justifications, is noteworthy.

Part I of the book, which discusses Copyright Law under 12 chapters, has been rewritten reflecting on the recent local developments in this area such as the new 'Hargreaves exceptions' (based on The Hargreaves Review of Intellectual Property Law and Growth (2011), which led to significant reform of the exceptions to UK copyright law), the Digital Economy Act 2010 and the Enterprise and Regulatory Reform Act 2013. This section is further shaped by the recent case law such as, the Supreme Court decision of Public Relations Consultants Association Ltd v The Newspaper Licensing Agency Limited and Others [2013] UKSC 18 commonly referred to as *Meltwater*. Further new segments are included that engages with the important international developments in this area such as the WIPO Beijing Treaty for Audiovisual Performers (2012) and the WIPO Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired or Otherwise Print Disabled (2013).

The Patent Law Section of the book, Part II, also takes into account an important and significant regional development in this area such as the impending Unitary Patent Regime for the European Union and recent case law handed down by the Court of Justice of the European Union (CJEU) as well as the Supreme Court. The case of *Oliver Brüstle v. Greenpeace*, Case C-34/10 (10 March 2011) is such a case where a patented invention that used pluripotent embryonic stem cells was challenged. It is interesting to note that a subsequent case that provided clarity to some of the doubts relating to the accuracy of the Brüstle case, *International Stem*

Cell Corporation v Comptroller General of Patents, Case C 364/13 (18 December 2014), which was pending in court at the time this book was being printed, is also referred to in this part of the book, evidencing the extent to which the content of this book has been updated.

Similar level of revision has been made to Section IV on Trade Marks and Passing Off, Part V on Confidential Information, and part VI on Litigation and remedies which consists of a review of the new unitary patent court system and its implications.

In comparison to other texts books on Intellectual Property Law, this book stands out due to its accessibility. For example, the number of figures included in the book that relate to the original cases under discussion, facilitates a wholesome understanding of the issues relating to that case. The provision of the list of all the figures included in the book, in the preliminary pages, makes navigation to them very convenient. Further it includes a list of useful websites which consists of the traditional information such as national, regional and international institutional websites relevant to intellectual properties such as the Intellectual Property Office UK, European Patent Office and World Intellectual Property Organisation websites. More importantly this list further includes important, useful and reliable blogs on intellectual property law such as the IP Kat and 1709 Blog. These directions to alternative sources can be considered as important for students and academics, in order to be kept abreast with updates on the constantly evolving area of intellectual property law.

Although it is not the most inexpensive book on this area, priced at £42.99, in comparison to Holyoak and Torremans (£36.99), Aplin and Davis (£41.99) and Colston and Galloway (£34.99) the wider coverage and accessibility certainly work favourably for and Sherman. Although in Colston and Galloway there are further reading material suggested at the end of each chapter which can be considered as useful for students, the extensive research materials this Bently and Sherman book relies on, provides plenty of direction for students in terms of further research.

Having experimented with this book with my final year undergraduate law students, it felt that this Bently and Sherman has the depth and richness to stimulate the more skilled students as well as the average students in undergraduate level as well as postgraduate level. Thus for an undergraduate student who may wish to pursue their postgraduate studies on Intellectual Property Law, purchasing this book would be a very good investment.

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