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Table of Contents

Opinions

ANNE-CATHERINE LORRAIN AND JULIA REDA

Freedom of Panorama: A Political "Selfie" in Brussels 753
The European Parliament's Report on the implementation of the InfoSoc Directive (Rapporteur Julia Reda) aimed at proposing solutions to the Commission to legislate towards a European copyright reform. This opinion comments on what happened inside the Parliament until the final vote on the report, and on how the specific issue of "freedom of panorama" caught a high level of public attention.

Articles

GABRIELE SPINA ALÌ

A Bay of Pigs Crisis in Southern Europe? Fan-dubbing and Parody in the Italian Peninsula 756
In the YouTube era overdubbing parodies, produced by juxtaposing new ironical auditory plot lines and screenplays on famous video motions, represent a noteworthy creative reality. In Italy, the lack of a legislative regulation of parodies causes ambiguities over the infringing status of overdubbing creations in respect to the copyright in the parodied work. This article shows how overdubbing practices exasperated the fragile construction on which Italian courts have upheld a general "freedom of parodying", while also urging Italian legislative bodies to take prompt action so that "freedom to operate" is guaranteed to parodists, whose contributions play a key-role in enriching our societies through the amusing, but in the meantime cathartically reflexive, instrument of laughter.

PEDRO LETAI

Don't Think Twice, It's All Right: Toward a New Copyright Protection System 765
In the literature on copyright protection, legal scholars and economists often debate the existing copyright terms. Many argue that these terms are unwarranted and disproportionate, constituting a market failure with respect to the effective life of works. The *de lege ferenda* proposal formulated here, based on a simple system of short and renewable protection periods, offers considerable benefits from both economic and social perspectives. Much of our cultural heritage has been digitalised, but is not accessible online to the general public because of excessive copyright protection. The effective exploitable life of the vast majority of artistic creations is brief, raising the question of how we can turn this deadweight loss into profit, with incentives for creators at the lowest social cost. It thus seems logical that after the above-mentioned period of exploitation, works should enter the public domain. Furthermore, the system proposed offers greater protection to original authors, as well as eventual intermediaries who may also be right holders, with a revertible formula that could strengthen their position in negotiations over the ownership of their works. With the technological advances of the digital age, economic analysis of copyright should no longer be concerned with incentivising creation (which is already prolific in any case) but with facilitating the dissemination of creative works. Such distribution of content would be advantageous for society and, in particular, for copyright holders who, ideally, should be the authors themselves.

DR MARK HYLAND

At a Crossroads: Irish Copyright 773
This article analyses important proposals to change Ireland's copyright regime. The proposals are contained in the Copyright Review Committee's Final Report published on October 1, 2013. This piece also examines key elements contained in the 2012 Consultation Paper, which started the process of sketching reforms to Irish copyright law.

OLASUPO OWOEYE

International Patents Law and Public Health: Revisiting the TRIPS Compulsory Licensing Regime and the Doha Paragraph 6 System 782
The article presents a critique of the Doha Paragraph 6 System and challenges its effectualness as a real panacea to the global access to medicines conundrum. The article posits that without the ability to manufacture pharmaceuticals locally, the TRIPS compulsory licensing regime in the long term offers no significant advantage to the world's most vulnerable populations.

AMANDA FONSECA DE SIERVI

Conflict Arising from the Cumulative Effect of the Grace Period and the Right of Priority under Brazilian Patent Law 796

How should the conflict arising from the cumulative effect of the grace period and the right of priority be resolved under Brazilian Patent Law? This article examines the provisions stated in Brazilian Law 9279/96 as well as the doctrine and jurisprudence in relation to the cumulative application of the grace period and the right of priority in order to propose a solution based on the Brazilian constitutional principle of equality and on the principle of national treatment under the Paris Convention. European and American law systems are also examined during the analysis.

Comments

PHILIP DAVIES

The Case Law of Composite Marks: What was Medion's Right to LIFE? 803

The case law on composite marks is a contentious matter. This article considers the EU case law on the subject, and, as a consequence, respectfully suggests that the jurisprudence has not been correctly applied in cases involving composite marks in England and Wales.

SARA BALICE

Tripp Trapp Case: The Court of Justice on 3D Trade Marks 807

EU trade mark law acknowledges the possibility of protection conferred by trade marks representing the shape of goods or their packaging. However, in order to prevent trade mark protection from granting its proprietor an unlimited monopoly on technical solutions or functional characteristics of goods which a user is likely to seek in the goods of competitors, EU trade mark law provides some exceptions to trade mark registration of shapes. In the long-awaited decision of *Hauck GmbH & Co KG v Stokke A/S* (C-205/13)1 (September 18, 2014), the CJEU sheds some light (and leaves some shadows) on the interpretation of two grounds for refusal set out by art.3(1)(e) of the Trade Mark Directive which prohibits the registration of signs which consist exclusively of the shape "which results from the nature of the goods themselves" or "which gives substantial value to the goods".

Book Reviews

814