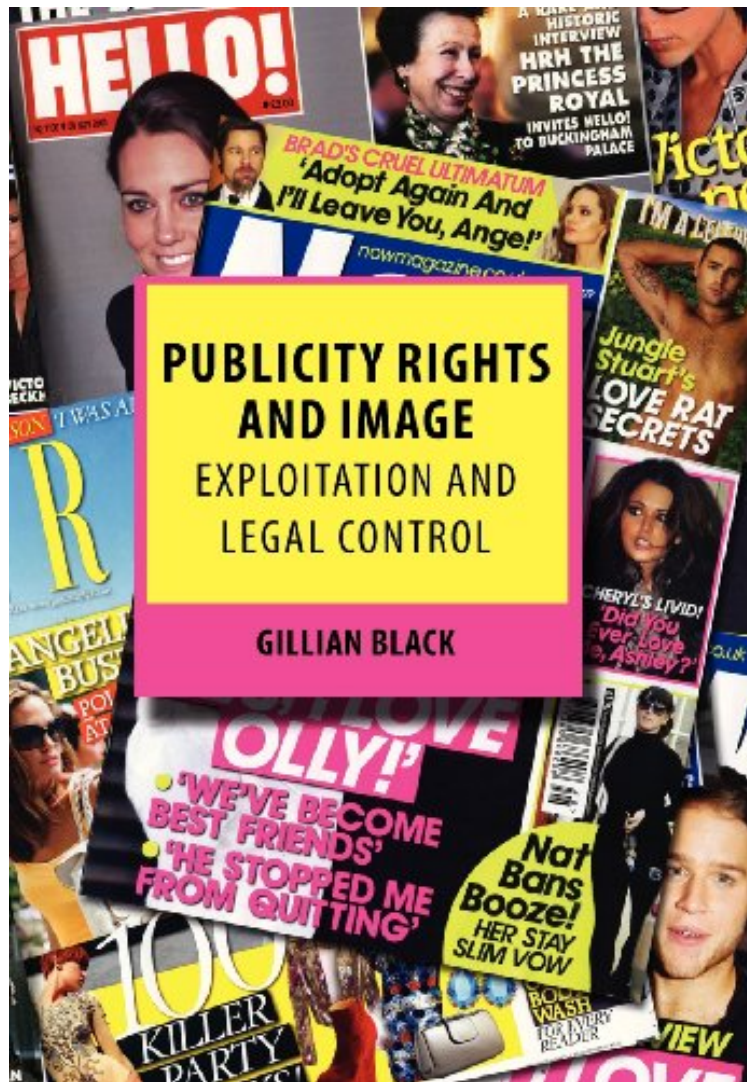


Publicity Rights and Image: Exploitation and Legal Control

Gillian Black

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Gillian Black : Publicity Rights and Image: Exploitation and Legal Control before purchasing it in order to gauge whether or not it would be worth my time, and all praised Publicity Rights and Image: Exploitation and Legal Control:

"Publicity" is the practice of using an individual's name, image, and reputation to promote products or to provide media coverage, often in gossip magazines and the tabloid press. Academics and practitioners are currently divided on the issues involved in permitting and regulating the commercial exploitation of publicity. This book provides a theoretical and multi-jurisdictional review of the nature of publicity practice and its appropriate legal regulation. The

book includes a detailed exploration of the justifications advanced in favor of publicity rights and those that are advanced against. It examines current academic and judicial perspectives on publicity rights in a range of jurisdictions, drawing out similarities and differences, and revealing a picture of current thinking and practice which is intellectually incoherent. By clearly defining the practice of publicity and examining justifications, the book is able to bring the nature and shape of the right of publicity into much sharper focus. *Publicity Rights and Image* includes a careful consideration of possible limits to any right of publicity, the potential for assigning publicity rights or transferring them post mortem, and whether defenses can be offered. The book concludes by arguing for a publicity right which provides a degree of protection for the individual, but which is significantly curtailed to recognize valid competing interests, such as the public interest. This is a work which will be of interest to academics and practitioners working in the field of publicity, privacy, and intellectual property.

This is a very welcome and highly readable addition to the literature. It deserves a broad readership in Europe and in the spiritual home of the right of publicity - the United States - and will leave readers wishing to delve deeper into the literature of this fascinating subject. Hart Publishing should also be commended for producing one of the most attractive books of 2011. It is sensibly priced, which should make it accessible to the wide audience it deserves and not the exclusive preserve of well-funded libraries or micro-celebrities flush with the proceeds of their latest photo spread. (Huw Beverley-Smith *European Intellectual Property* Volume 34, Issue 6, 2012) *Publicity Rights and Image* condenses a complicated area of law into an easy-to-understand primer and presents a strong argument that the topic needs further attention from scholars and policy makers ...Supplementing its cogent analysis, the book includes comprehensive tables of cases and legislation, an extensive bibliography, and a detailed index with strong coverage of alternative terms. Black ... has made a valuable contribution to the study of publicity law and rights [and her book] is recommended for selection by all academic law libraries and by law firm libraries supporting attorneys who practice in the area. (Deborah Schander *Law Library Journal* Volume 104: 1) Black's book is a welcome addition to the literature in the field for she considers complex and difficult questions about privacy and publicity and brings to her task an obvious commitment to exacting analysis. Whatever materialises on the legislative front, this book will prove to be an invaluable reference for academics and practitioners alike as the controversy surrounding "market rhetoric" and personality is unlikely to abate any time soon. Black provides a compelling argument in favour of a publicity right, explaining how dignitarian and economic interests can be reconciled in this particular instance. (Patrick O'Callaghan *Edinburgh Law* Volume 16, 2012)...a useful source for both students and practitioners of information about the development of this fledgling right. As usual with Hart the book is well presented and reasonably priced in these austere times. (Howard Johnson *Communications Law* 2011)...this work is a valuable one, which deserves to be carefully read and appreciated. The efforts spent in realizing a precise and methodologically coherent review of the theory behind publicity rights have produced a contribution which is thought-provoking, as well as innovative in its attempt to provide inputs and suggestions which are not bound to any specific jurisdiction. (Eleonora Rosati *Journal of Intellectual Property and Practice* Volume 6, Issue 9)[Black's] conclusions are the product of meticulous review and analysis of relevant court decisions, statutes, and academic studies, ranging through the sometimes confusing and contradictory legal systems that constitute Western jurisdictions. For every conclusion that she draws, Black first provides ample opportunities for both judicial and academic proponents of contrary views to be heard before proceedings to offer solid, persuasive arguments for her own positions. (Philip A. Dynia *The Law and Politics Book The Law and Politics*) About the Author Gillian Black is a Lecturer in Law at Edinburgh University and a qualified solicitor.