

BOOK REVIEWS

The Law of Intellectual Property: Copyright, Designs and Confidential Information by Staniforth Ricketson (LBC Information Services, Sydney, 1999). Supplemented book. Price \$225. ISBN 0 455 21617 7.

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The unmistakable, broad, blue and green spine of Ricketson's *Law of Intellectual Property* has been visible on the bookshelves of every self-respecting intellectual property lawyer in Australia since 1984. The text has over the years educated generations of students, fortified academics, armed practitioners, and frequently been cited with approval by judges. It has, in short, been a landmark in the communication of intellectual property law in this country. But even one year is a long time in the law, and particularly copyright law, so that by 1999 the book was sorely in need of revision. It was with great pleasure, then, that we welcomed a new edition of even more impressive dimensions than the first.

In organisation, the second edition is substantially different from its predecessor. For one thing it no longer attempts to cover the entirety of intellectual property law in one volume, an undertaking which, given the extraordinary growth in this discipline, would no longer be realistic. The present volume is concerned only with copyright, designs and confidential information. Patents, trade marks and passing off are to be dealt with in a later text. Furthermore, from having been a freestanding bound volume the text has become a quasi-looseleaf service. It consists now of separate booklets within a folder, the intention being to revise the individual booklets as the law changes. The advantage of this is that keeping the volume updated is, from a user's point of view, much simpler than replacing (and almost inevitably misplacing) the pages in a true looseleaf service. The booklets can also be removed for greater ease of reading and transportation.

In terms of content and presentation, the text has retained the character which made the first edition unusually approachable. Its exposition of the law is lucid and expansive, showing a combination of the careful scholarship, the reasoned judgment and the intellectual curiosity which are the hallmarks of its author. Points of uncertainty are not glossed over, nor are legislative and judicial infelicities. Above all the text is not, like all too many looseleaf services, merely an impersonal collection of

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references and points of law, a database in paper form. This is still very much a treatise and bears the marks of a single guiding personality. The reader puts it down with the sense, not only of having been informed, but of having been engaged in a conversation. It is to be hoped that this characteristic is not lost as the work undergoes its regular updates.

Particular features of the book are a very useful chapter on the early development of copyright law, as well as historical consideration of more specific issues in the course of the various chapters. The text also reflects the reality of the Australian law developing in an international context and subject to the mandates and persuasions of the world community. It is marked by a strong interest in process. Hence the stages in which the legislation has been amended and the policy behind amendments receive significant attention. Though specific suggestions for future change are not generally made, the author compares current provisions with underlying policy objectives to highlight areas where future amendment might be indicated.

While the comprehensive scholarship of this work is remarkable, the relatively inexperienced reader is not forgotten. Indeed this text, though not marketed with a view to academic sales, offers an account of the law which is still one of the best starting points for someone wanting to understand the broad sweep of copyright, designs and confidential information law in Australia. And Professor Ricketson's long experience in teaching means an alertness to areas which are likely to confuse. While he gives generous attention to key older cases, he takes care to point out the ways in which these otherwise authoritative decisions might have become misleading in the light of legislative amendment.

In short, this is a text which will continue to fulfil all the functions of its predecessor with the added advantage of currency. In a much more competitive publishing market than existed in 1984, it has a character and voice of its own which will make a place for it between the conventional looseleaf services and the much more compressed textbooks and introductions. It is to be expected that the broad, black and red spine of the new edition will be found on the shelves of every self-respecting intellectual property lawyer, and others besides, for many years to come.