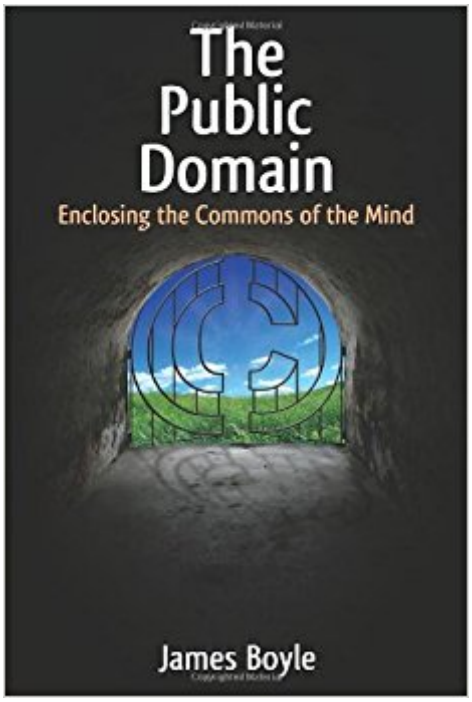
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The Public Domain: Enclosing The Commons Of The Mind



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Synopsis

In this enlightening book James Boyle describes what he calls the range wars of the information ageÃ¢â ¬â ¢todayÃ¢â ¬â„¢s heated battles over intellectual property. Boyle argues that just as every informed citizen needs to know at least something about the environment or civil rights, every citizen should also understand intellectual property law. Why? Because intellectual property rights mark out the ground rules of the information society, and todayÃ¢â ¬â„¢s policiesÃ Â are unbalanced, unsupported by evidence, and often detrimental to cultural access, free speech, digital creativity, and scientific innovation.Ã Â Boyle identifies as a major problem the widespread failure to understand the importance of the public domainÃ¢â ¬â ¢the realm of material that everyone is free to use and share without permission or fee. The public domain is as vital to innovation and culture as the realm of material protected by intellectual property rights, he asserts, and he calls for a movement akin to the environmental movement to preserve it. With a clear analysis of issues ranging from JeffersonÃ¢â ¬â„¢s philosophy of innovation to musical sampling, synthetic biology and Internet file sharing, this timely book brings a positive new perspective to important cultural and legal debates. If we continue to enclose the Ã¢â ¬Å“commons of the mind,Ã¢â ¬Â• Boyle argues, we will all be the poorer.Ã Â

Book Information

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Customer Reviews

Ã¢â ¬Å“Boyle has been the godfather of the Free Culture Movement since his extraordinary book, Shamans, Software, and SpleensÃ Â set the framework for the field a decade ago. In this beautifully written and subtly argued book, Boyle has succeeded in resetting that framework, and

beginning the work in the next stage of this field. The Public DomainÃ Â is absolutely crucial to understanding where the debate has been, and where it will go. And Boyle's work continues to be at the center of that debate.Ã¢â ¬Â•Ã¢â ¬â ¢Lawrence Lessig, C. Wendell and Edith M. Carlsmith Professor of Law, Stanford Law School and author of Free Culture and The Future of Ideas (Lawrence Lessig)Ã¢â ¬Å“In this delightful volume, Professor Boyle gives the reader a masterful tour of the intellectual property wars, the fight over who will control the information age, pointing the way toward the promiseÃ¢â ¬â ¢and perilÃ¢â ¬â ¢of the future.Ã Â A must read for both beginner and expert alike!Ã¢â ¬Â•Ã¢â ¬â ¢Jimmy Wales, founder, Wikipedia (Jimmy Wales)Ã¢â ¬Å“Boyle is one of the world's major thinkers on the centrality of the public domain to the production of knowledge and culture.Ã Â He offers a comprehensive and biting critique of where our copyright and patent policy has gone, and prescriptions for how we can begin to rebalance our law and practice. It is the first book I would give to anyone who wants to understand the causes, consequences, and solutions in the debates over copyrights, patents, and the public domain of the past decade and a half.Ã¢â ¬Â•Ã¢â ¬â ¢Yochai Benkler, Berkman Professor of Entrepreneurial Legal Studies, Harvard Law School (Yochai Benkler)"[T]his book is remarkable in many ways. . . I welcome this clarity and the sheer enthusiasm and humor of this simply delightful book."Ã¢â ¬â ¢Edward J. Valauskas, First Monday (Edward J. Valauskas First Monday 2009-01-05)"The author is a fine writer, gifted teacher and great explainer so readers can actually enjoy this thoughtful and important discussion without seeking assisted stimulation." Ã¢â ¬â ¢ Richard Pachter, Miami Herald (Richard Pachter Miami Herald 2009-02-02)

James Boyle is William Neal Reynolds Professor of Law, Duke University School of Law. He lives in Chapel Hill, NC.

This is an evaluation of the existing laws on intellectual property rights. Boyle argues that legal framework tilts to the side of copyright holders to the detriment of public interest. He calls for greater attention to the public domain, the free space of ideas and expressions available for all. This book is an illustrative and rare (at least for general audience) exploration of the topic and gives persuasive arguments. Some of the chapters, especially those on legal cases, can be hard to follow.

Boyle's latest book, Public Domain, is a fascinating read. For a copyright lawyer like myself, PD is a god-send. Digital copyright and its implication on free-speech, innovation, access to information/useful writting etc. is a rapidly expanding area of scholarship; litteratures out there are

vast and intimidating, enough to put newcomers off eventhough the subject's basic premise could be easily grasped by all. Boyle managed to provide a guide which gives a big picture of what was then, what is now and what will happen next. Just reading this one book will put you in touch with practically all the latest (and disturbing) issues regarding the digital copyright movement. I'm actually teaching my IT law class from it. The endnotes at the back are so informative and useful; they are the perfect guide for readers who want to delve more deeply into any particular topic.This book also provides everything you will ever need to know about intellectual property, with out going into unnecessary details. It covers philosophy of IP, the historical development (both in common-law world and in the continent), visions and warnings of Jefferson and Macaulay. It also captures the world before and after Sony-Betamax and encapsulates the mind-set of entertainment industry and their dislike of new business practices. I particularly like Boyle's discussion about why a pro-consumer decision like the Sony case is so important as a rare "counter-example" of technological threat argument and why Grockster and Napster failed to reach the same result: it's all about politics of the cartel dinosaurs; no one is really fighting for the consumer. It's simply logical and thus hard not to believe in what he wants to say.Information here is just abundant. It will probably not be an easy read for non-copyright lawyers, but it is perfect for everyone who wants to think intelligently about the state of affairs regarding copyrights' implications on todays' culture. Read it as many times as you must!

The first three chapters are very interesting and well written, I enjoyed the information and structure up until chapter four. At that point, you can skip to the last chapter as there is little information and a high amount of unnecessaryÃƒÂ¢Ã â ¬Ã â information.

This is an excellent book. Boyle's arguments were thoughtful, well-constructed, and effective. He used great examples to demonstrate his points.

The subject of public domain is an interesting and complex one, confused by ever-changing laws and misinterpretations. This is a good reference tome to help you understand the subject better.

Boyle provides a cold minded analysis of the interactions between the needs for a healthy public commons of knowledge and the economic incentives for the production of knowledge. A very accessible book with an objective approach to a social issue of fundamental importance.

haven’t read it yet but I can see it is a very good and helpful volume from perusing it

Jamie Boyle’s work -- both academic and activist -- has define the field of copyright, or copy-left, or copy-fight. His earlier book,Ã Â Shamans, Software and Spleens : Law and the Construction of the Information Society, was the book that got me to recognize how enormously important these issues were. This book, his latest, delivers a beautiful and mature understanding of the state of this "war."The book maps perfectly the history of these debates. But best in my view is the way it capture the current salience as it relates to the current version of digital technologies. His understanding of the "mash-up" problem, and the potential for a new digital literacy is better than anything else out there just now. And as the current Chairman of Creative Commons, his understanding of free, voluntary alternatives to the current mess is better than (just about) anyone.There are of course a million critical problems that America faces. But the issues that Boyle is writing about are high among the list of those critical problems. Special interests have radically distorted the best in America’s tradition. And if you track Boyle’s views from the beginning of these battles to today, you will see that he has from the beginning understood what the world now is just beginning to recognize. He is, in my view, America’s foremost scholar and teacher in this field. This book is an enormous contribution (but just a small token of what he’s done).Buy it for yourself and 10 of your best friends. Send a couple to the RIAA and MPAA.

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