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Goldstein

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## BOOK REVIEW

### ***COPYRIGHT PRINCIPLES, LAW AND PRACTICE* BY PAUL GOLDSTEIN**

JEFFREY E. JACOBSON<sup>1</sup>

*Copyright Principles, Law and Practice*, by Paul Goldstein, is a comprehensive treatise on modern copyright law and is a valuable reference tool for copyright practitioners and researchers alike. Goldstein, Of Counsel to Morrison & Foerster, and Professor of Law at Stanford University, is a leading authority on the law of copyright and an internationally recognized lecturer and consultant. *Copyright* consists of three volumes and a paperback update, which offer extensive coverage of the substantive and procedural law of copyright, and includes a thorough guide to copyright litigation. It also offers a detailed treatment of the Berne Convention Implementation Act of 1988 and its effect on U.S. copyright law and the international practice of copyright.

The organization of *Copyright* is, for the most part, sensible and logical. Volume I begins with "The Topography of Copyright", a chapter which establishes the theory behind copyright law, the modern framework of the law, and an outline of legal practice in copyright law. It highlights the primary issues of copyright law and practice in a simplified, yet informative, manner. This chapter allows for one less experienced with copyright law to understand its basic rights and liabilities. In turn, the unexperienced reader may quickly assess a given situation, and then proceed to the specifics discussed in subsequent chapters. This structure should prove very helpful for all readers. Volume I also covers the subject matter, formalities, ownership, and term of copyright. The volume then discusses the applicable rights which attach to each form of subject

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1. Jeffrey Jacobson is the managing member of Jacobson & Colfin, P.C., New York, New York and Washington, D.C. Their practice is in copyrights, trademarks, music and video law. The author wishes to thank Michael Baroni, a student at Hofstra Law School, for his invaluable assistance in preparing this review.

matter and procedural situation. However, the last chapter of Volume I, "Contributory Infringement and Vicarious Liability" seems out of place, and would have been better suited at the end of Part Four, Volume II, entitled "Infringement".

Volume II follows the primary focus of Volume I. Beginning with a discussion of infringement, Goldstein then proceeds to outline defenses, remedies, and procedure. He follows the analysis of these topics with an exploration of the various forms of protection afforded under state, federal, and international law. In connection with the topic of protection, Goldstein has written an excellent and well-organized compilation of the relevant statutes, legislative reports, and regulations in Volume III. Volume III also contains an extensive copyright forms section, as well as a thorough "Table of Cases", a "Table of Statutes", and an index to assist the reader. In terms of a reader's access to information, a work of this magnitude is only as good as its index. The index is simplified and generalized enough so as to direct the reader to the specific subject matter without fear of overlooking a narrower issue which the reader may be searching.

The "Summary of Contents" at the beginning of Volume I is highly specific with regard to copyrightable subject matter as applied to distinct areas of law. The "Summary of Contents" breaks down each category of copyrightable subject matter and traces them throughout the different chapters. In fact, the summary is so specific, and covers so much territory, one might find the material confusing if the reader does not know exactly what to search. This is largely due to the abundant repetition of general topics throughout this section. If the aim of the reader is to cover a great deal of material on a given subject, she could conceivably get lost in the huge forest of information contained within the summary. Its specificity, however, is a precious time saver for a reader who knows the exact topic that she is researching. In addition, the cross references in each section of the work ensure that the reader will not miss other comments on that topic within the treatise. *Copyright* also provides the reader with a healthy number of citations to the most directly relevant case material on each section. This aspect alone makes the work of substantial value to both the academic and the practitioner. Parallel citations are also offered to the United States Quarterly.

However, one criticism of *Copyright* is that it is sometimes not as thorough as one may like. Although Goldstein's extensive breakdown of categories provides for easy access to specific issues and situations, complex topics are sometimes too simplified or over-

looked. For example, digital sound sampling is not even discussed. Another instance where the treatise is lacking is the absence of any discussion on the registrability of theatrical costumes and masks. These are two categories that most readers could find to be quite significant and of particular interest. In addition, more could have been said about the effects that new and emerging technologies such as high definition television or interactive television have on the law of copyright. This is especially true since the treatise is aimed at being a comprehensive work for the modern era of copyright law. However, other areas of modern copyright law are covered well. For instance, Goldstein's coverage of computers and telecommunications, particularly his discussion of the Semiconductor Chip Act of 1984, is thoroughly discussed.

One of the best assets of *Copyright* is its readability. Each section is concise, clear, and readily comprehensible. Goldstein has an obvious talent for communicating a highly complex subject so as to make it seem basic. Thus, one may quickly read through sections of the treatise without suffering a loss in the understanding of the material presented. Goldstein also manages to isolate complex issues and, at the same time, touch on related ones without getting muddled. Goldstein's writing makes the reading of *Copyright* an enjoyable task.

*Copyright* is a substantial accomplishment. Goldstein has produced a comprehensive treatise for the modern practice of copyright law that rivals the classic work of Professor Nimmer. In fact, it may ultimately prove to be more useful due to its modernity, procedural coverage, and sensitivity to the common concerns of the practitioner. The treatise is an excellent reference and starting point for understanding both general and specific topics in copyright, and should prove a valuable tool to virtually any practitioner or academic. Although the treatise may not be detailed enough in some specific instances, it does cover a wide variety of topics in copyright law and remains an excellent resource for understanding the framework of any copyright issue. *Copyright* is aimed at setting a new standard for researching copyright law in the post-Berne era. The treatise's comprehensive coverage of the modern practice of copyright law, its simplification of complex and entangled issues, and its readability will enable it to achieve this goal.