

# NFTs and Art: A Legal Analysis of Property and Copyright Laws

by Professor Kelvin Low, NUS Law &  
Professor David Tan, NUS Law; Head (Intellectual Property),  
EW Barker Centre for Law & Business and Deputy Director, TRAIL

Thursday 25 November 2021 | 5.00 PM TO 6.30 PM (SGT) | via Zoom

## SYNOPSIS

This webinar analyses to what extent are NFTs (non-fungible tokens) in relation to digital art considered property, and their implications for copyright law. The latest wave of cryptomania has brought us yet another acronym – NFTs. Touted as a means to render readily replicable digital art (and possibly other objects) rare and scarce, NFT-mania reached its apogee when the artist Beeple sold a collage titled *Everydays: the First 5,000 Days* through Christie's on 11 March 2021 for US\$69m, making it the third most expensive piece of art sold by a living artist. But did the buyer actually acquire, through the NFT, any art? What is art abstracted from the medium upon which it is embedded and dissociated from its copyright? Can such a dissociated abstraction be meaningfully owned? What does the concept of fungibility entail and can a token be permanently conferred fungibility or non-fungibility at the point of its mining or minting? Once the technical process of minting an NFT is properly understood, it will be seen that NFTs are not what they seem.

## ABOUT THE SPEAKERS



**Professor Kelvin F.K. Low** read law at the National University of Singapore and Oxford University and started his academic career at the National University of Singapore. Prior to rejoining his alma mater, he taught at the University of Hong Kong, Singapore Management University, and City University of Hong Kong. Kelvin's research interests span the field of private law but with a particular interest in property. He has published internationally with leading journals such as *Law Quarterly Review*, *Modern Law Review*, *International & Comparative Law Quarterly*, *American Journal of Comparative Law*, *Melbourne University Law Review*, *Lloyd's Maritime & Commercial Law Quarterly* and *Legal Studies*. He is co-author of *The Law of Personal Property* (2nd & 3rd eds), the leading personal property text in the Commonwealth, and co-author of *Tan Sook Yee's Principles of Singapore Land Law* (3rd & 4th eds), the leading Singapore land law text.



**Professor David Tan** was Vice Dean (Academic Affairs) at NUS Law from January 2015 to June 2021. He is presently Head (Intellectual Property) at the EW Barker Centre for Law & Business and Deputy Director of TRAIL. He holds a PhD from Melbourne Law School (2010), a LL.M from Harvard (1999), and graduated with a LL.B (First Class Honours)/B.Com from the University of Melbourne (1995). David was formerly with the Singapore Administrative Service, serving as Director of Sports at MCYS and Director of International Talent at MOM. His areas of research cover personality rights, copyright, trademarks, freedom of expression, constitutional law and tort law, and his articles have been cited on a number of occasions by the Singapore Court of Appeal and High Court. David has published over 70 articles, comments, book chapters and review essays since joining NUS Law in 2008, including a monograph by Cambridge University Press.

## PROGRAMME

- 4.45 PM Login in by Zoom Participants
- 5.00 PM Presentations by Professor Kelvin Low & Professor David Tan
- 6.15 PM Q&A
- 6.30 PM End of Webinar

## REGISTRATION

### Registration fee:

S\$120.40 (including 7% GST)

Complimentary for NUS Staff & Students

(Note: for verification purposes, please use your NUS email address to register)

Registration is compulsory

Visit <https://bit.ly/3v4VSmt> or

Scan the QR Code to register

by Monday 22 November 2021 Noon



## CONTACT PERSON

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Public CPD Points: 1.5

Practice Area: Intellectual Property  
Training Level: Foundation

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