

INTRODUCTION TO INTELLECTUAL PROPERTY. By JEREMY PHILLIPS. [London: Butterworths. 1986. xxx + 310 pp. Hardcover: £19.50, Softcover:£ 13.95]

FOR any student about to embark upon a study of intellectual property, Jeremy Phillips' book must surely be a godsend. Since the publishing of Cornish's *Intellectual Property* in 1981, there has been no better introductory text on the subject. I unreservedly recommend this book in preference to Cornish simply because it is more basic, assumes less of the reader and is organised in a more systematic manner. Moreover, Phillips' book is much more up-to-date (which is crucial in this field since developments in the law have been fairly rapid) and includes in the addendum, a summary of the proposals of the U.K. White Paper, *Intellectual Property and Innovation* (Cmnd. 9712) published on the 15th of April 1986. Whilst the reader of Cornish grows to appreciate the author's learning and insights only after studying a course on intellectual property, the reader of Phillips grows to appreciate the subject even before he has begun his course. In Phillips' own words, he aims "to whet the appetite, not to sate it" and he does a marvellous job of "making the subject sufficiently interesting for others to wish to get involved in it too."

The book contains 28 chapters in six different parts. In the first part, Phillips introduces the reader to the concept of intellectual property and how it may be protected whilst the second part discusses inventions and the Patent system. Part three concentrates on Copyright and part four deals with what Phillips calls Pseudo-Copyright which includes the public lending right, moral rights and performers' protection. In part five, Phillips has neatly packaged the less tidy areas like unfair competition, breach of confidence, passing off, character merchandising and trade marks into "Rights in Information and Reputation". The concluding part deals with topics of current interest such as problems related to new technology like the computer and cable broadcasts, as well as protection of plant varieties. Other topics discussed here include design registration and secondary copyright infringement.

For a book of this size, the scope is enormous and the author tackles his task admirably, and might I say, delightfully. His approach

is simple, down-to-earth, and interspersed with numerous interesting examples. His style is crisp and concise and he displays an obvious enthusiasm for the subject. Phillips takes nothing for granted and takes great pains in explaining the intricacies of the subject matter to the reader — he even tells the reader how to pronounce “patent” (page 30, para 4.3) — which makes this all the more remarkable an achievement given the length of the book. The author utilises a question and answer technique for most of the introductory materials. His sub-headings are in the form of questions, like “What is intellectual property?” or “How, in practical terms, can intellectual property be protected?” Having posed the questions, Phillips sets out to answer them in short, neat paragraphs which are numbered for easy reference and study. This method of organising the text makes each chapter self-contained and the busy reader can, at any time pick the book up and quickly read through those chapters or sections which are most relevant to him without having to move into another chapter. The sequence is logical and discussion flows easily from one topic or aspect of a topic to another.

Phillips culls numerous examples, both from the decided cases as well as everyday life. Their interesting content and occurrence captures the reader’s attention. The organisation of the chapters into short paragraphs is augmented further by the appropriate use of numerous sub-headings which help guide the reader through the maze. The footnotes, which include many useful references to articles and cases, are ideally located at the end of each paragraph number so as not to distract the reader from the main text.

As an introductory text, the author rightly refrains from an in-depth discussion of the numerous decided cases although fleeting references are made to them. The principles enunciated in the case-law are, however, very clearly set out but in exceptional circumstances, important cases like *Hensher v. Restawile* have been given due attention. Other relevant cases are either cited or footnoted and Phillips gives the reader just enough information to appreciate their relevance as well as to entice the reader to read them in full. In discussing difficult and complicated examples, Phillips uses diagrams and flow-charts to great effect and this simplifies the learning process for the reader.

Much more can be said about the book but I shall try not to overstate my case. This is a really excellent introductory text and one must actually read it to appreciate its full impact. If this book is an indication of better things to come, one can only hope that Phillips will quickly produce a more comprehensive volume on the scale and in the genre of Ricketson’s *Intellectual Property*.

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