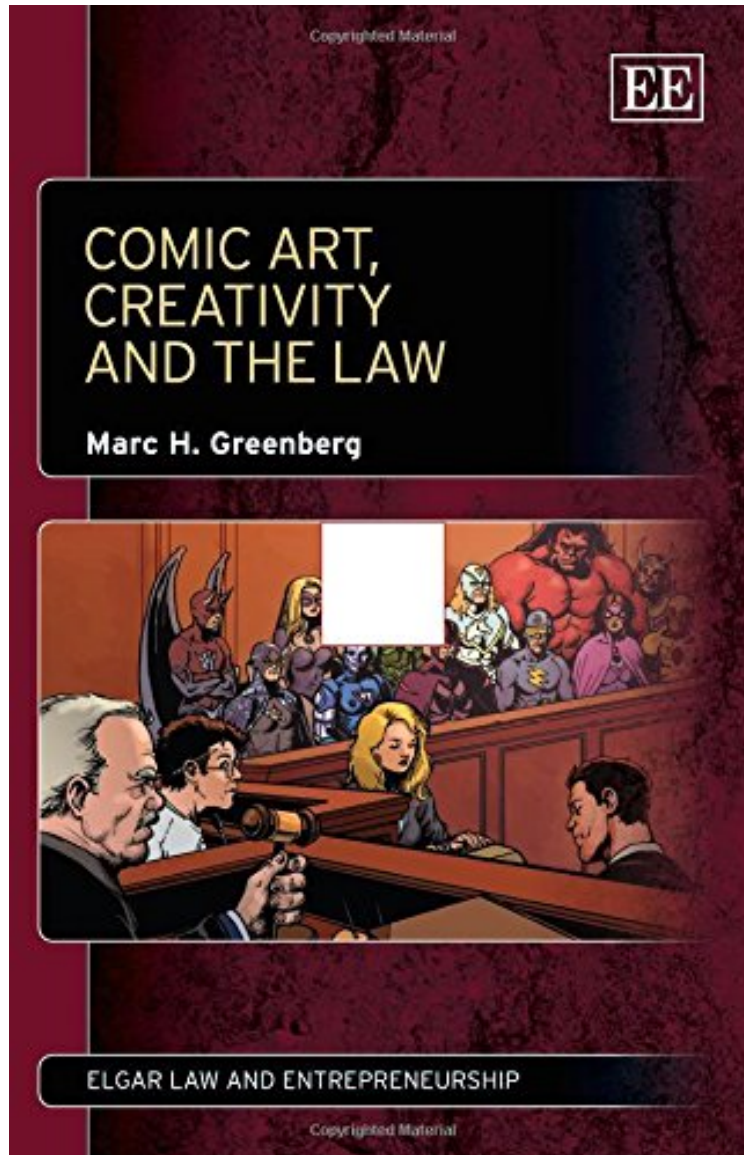


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Comic Art, Creativity and the Law (Elgar Law and Entrepreneurship series)

Marc H. Greenberg

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Marc H. Greenberg : Comic Art, Creativity and the Law (Elgar Law and Entrepreneurship series) before purchasing it in order to gauge whether or not it would be worth my time, and all praised **Comic Art, Creativity and the Law (Elgar Law and Entrepreneurship series)**:

1 of 2 people found the following review helpful. Hi Superman! I'm a lawyer! By Phillip Taylor MBEHI SUPERMAN!

IM A LAWYER! EXPLORING THE RELATIONSHIP BETWEEN COMIC-STRIP CREATIVITY AND THE LAW An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers. Talk about an interesting project! This really quite riveting book from Edward Elgar's Law and Entrepreneurship series explores a not very much explored area of the law; that is the effect, for better or worse, of the law on creativity and the creative process. In this case, the specific form of creativity even less explored is that of comic art. Those of you who have not lived in North America for any length of time will need to be reminded that comic art in the American context is the art of the comic strip. Cartoons and comics have been a part of America culture since the formation of this nation, says the author, Professor of Law, Marc H. Greenberg, who has had a passion for comics all his life. Great swathes of comic strips -- the funny papers -- funny and non-funny -- are indeed a feature, which are much looked forward to, of just about every Sunday newspaper in North America. Greenberg points out nonetheless that comics have -- especially in America -- been a subject of controversy, censorship, legislation and litigation; viewed as a threat to society and an incitement to, among other things, juvenile delinquency. But wait. America may be considered the land of the comic strip, but what were really talking here about a multi-billion pound creative industry which because of its almost universal appeal and power to influence as well as entertain transcends international boundaries. The focus of the book is Anglo/US and European, even though the author pays tribute to the popularity and creativity of this art form in other continents a subject so detailed as to warrant the publication of another book! While the book could be considered a guide to the law of comics, it is more than that. There is much analysis and commentary on the history, structure and modes of comic art, after which, the discussion turns to two legal doctrines: contract and copyright law. The impact of tax and obscenity laws is also discussed. Intellectual property rights however, loom largest, in our view, for the often put-upon creators of this especially popular form of creative art. To cite one example, note the case of Peanuts creator Charles Schulz and the creative and legal tussles that he experienced with the powerful United Feature Syndicate, the distributor of his creative work. Another example: the not too comfortable legal problems of the creators of Superman. One academic paper on this subject is entitled *Hi Superman! I'm a Lawyer*. Moving toward the final section of the book, however, the focus shifts beyond the borders of the USA toward international markets of comic art, particularly bande dessinée in continental Europe and manga in Japan, not to mention the borderless world of cyberspace which concerns comic art digitally created and distributed online. With the ten pages table of authorities and extensive footnoting, the book is a carefully researched academic study as well as a fascinating read. No doubt it will end up as an exceptionally well-thumbed volume in practitioners libraries on both sides of the Atlantic -- and fans anywhere, of cartoons and comics will love it. The publication date is cited as at 2014.

'In comics, justice always prevails, but the business of comics is a lot trickier. Marc Greenberg combines the expertise of a legal scholar with the passion and insight of a long-time comics fan, untangling the morass of legal issues facing comics - and all creative enterprises - in the past, present and future. *Comic Art, Creativity and the Law* is essential reading for anyone interested in understanding the multi-billion dollar global industry that comics has spawned.' - Rob Salkowitz, author of *Comic-Con and the Business of Pop Culture* 'An intellectual tour de force and a compelling read. . . Far beyond a practical guide to the law of comics (though it is that too), Greenberg's book touches on the nature of creativity, the basis for IP law and the history of this fascinating medium.' - Professor Mark A. Lemley, Director, Stanford Law School, US 'The characters and stories found in comic art play a dominant role in contemporary popular culture throughout the world. In this first-of-its-kind work, *Comic Art, Creativity and the Law* examines how law and legal doctrine shapes the creative process as applied to comic art. The book examines the impact of contract law, copyright law (including termination rights, parody and ownership of characters), tax law and obscenity law has on the creative process. It considers how these laws enhance and constrain the process of creating comic art by examining the effect their often inconsistent and incoherent application has had on the lives of creators, retailers and readers of comic art. It uniquely explains the disparate results in two key comic book parody cases, the *Winter Brothers* case and the *Air Pirates* case, offering an explanation for the seemingly inconsistent results in those cases. Finally, it offers a detailed discussion and analysis of the history and operation of the 'work for hire' doctrine in copyright law and its effect on comic art creators. Designed for academics, practitioners, students and fans of comic art, the book offers proposals for changes in those laws that constrain the creative process, as well as a glimpse into the future of comic art and the law. Contents

'Mark Greenberg's *Comic Art, Creativity and the Law* outlines the protective, and often restrictive, aspects of the relationship between the law and the comic book industry. Greenberg's text is a very accessible, even enjoyable read. While *Comic Art, Creativity and the Law* is fascinating, even compelling, its principle audience is entertainment comic book creators, attorneys, and fans.' -- Allen Berry, *Technical Communication* 'Talk about an interesting project! This really quite riveting book from Edward Elgar's Law and Entrepreneurship series explores a not very much explored area of the law; that is the effect, for better or worse, of the law on creativity and the creative process. . . While the book could be considered a guide to 'the law of comics', it is more than that. There is much analysis and commentary on the history, structure and modes of comic art, after which, the discussion turns to two legal doctrines:

contract and copyright law. The impact of tax and obscenity laws is also discussed. . . With the ten pages `table of authorities' and extensive footnoting, the book is a carefully researched academic study as well as a fascinating read. No doubt it will end up as an exceptionally well-thumbed volume in practitioners' libraries on both sides of the Atlantic - and fans anywhere, of cartoons and comics will love it.' -- The Barrister Magazine `Marc Greenberg combines his professional expertise and deep knowledge of comics history to provide the first book-length treatment of the subject of law as it applies to comics. . . an invaluable resource for understanding the issues.' -- Rob Salkowitz, ICV2 `Comic Art, Creativity and the Law is a highly welcome addition to the literature on the development of comic art. The book stands out in its knowledge of the comic industry and analysis of the legal challenges confronting creative artists. You will enjoy reading it whether you are an art law specialist or a Spiderman fan.' -- Peter K. Yu, Drake University Law School, US `In comics, justice always prevails, but the business of comics is a lot trickier. Marc Greenberg combines the expertise of a legal scholar with the passion and insight of a long-time comics fan, untangling the morass of legal issues facing comics - and all creative enterprises - in the past, present and future. Comic Art, Creativity and the Law is essential reading for anyone interested in understanding the multi-billion dollar global industry that comics has spawned.' -- Rob Salkowitz, author of Comic-Con and the Business of Pop Culture `Marc Greenberg's Comic Art, Creativity and the Law gives a detailed, thoughtful "look under the hood" of one of the United States' most vibrant and under appreciated creative industries. For anyone who cares about truly understanding the creative process and the lives of authors in our times, this should be part of your library.' -- Justin Hughes, William H. Hannon Professor of Law, Loyola Law School and chief US negotiator for the Beijing and Marrakesh copyright treaties `An intellectual tour de force and a compelling read . . . Far beyond a practical guide to the law of comics (though it is that too), Greenberg's book touches on the nature of creativity, the basis for IP law and the history of this fascinating medium.' -- Professor Mark A. Lemley, Director, Stanford Law School, USA

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