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C. Op den Kamp and D. Hunter (eds), **A History of Intellectual Property in 50 Objects**, Cambridge: Cambridge University Press, 2019, 429 pp, hb £17.99.

*A History of Intellectual Property in 50 Objects* is a collection of essays about the history of the branches of law that we today term intellectual property, each chapter taking a single object as its starting point. Spanning a diverse range of objects, from the twelfth century to today - from the Mona Lisa to the Kodak Camera, the Lego Brick to the Internet – *A History of Intellectual Property in 50 Objects* is based on the idea behind the BBC radio 4 series *A History of the World in 100 Objects* presented by Neil MacGregor of the British Museum (published by Penguin, 2012) which has also been adapted to popular subjects such as *A History of Cricket in 100 Objects* (Serpent's Tail, 2013). Approaching intellectual property through objects, however, is more complex. Intellectual property is thought to protect intangible subject matter rather than tangible objects. As editors Claudy Op Den Kamp and Dan Hunter note in their introduction, approaching intellectual property through objects raises the question of how and whether the law reflects the theoretical assumption we have today, that intellectual property involves a 'separation between "the thing" and the "idea of the thing"' (2).

The essays comprising *A History of Intellectual Property in 50 Objects* are authored primarily by legal academics, but also by scholars from other disciplines (e.g. art, history, film studies, and computer science). All the contributions are scholarly rigorous – based on original research – but also accessible to the non-specialist reader. As the sheer diversity of subject matter makes a comprehensive summary impossible, this review instead draws together five examples of perspective that permeate the volume and demonstrate the scholarly value of studying intellectual property from the standpoint of objects.

First, a number of the essays demonstrate that objects can take us to intricate stories about legal development. Lionel Bently's essay concerning the Singer sewing machine in the nineteenth century, shows how the study of a single object can take us to cases which 'unknowingly' provided 'the foundations for much of modern trade mark law', e.g. the doctrine of genericide, the concept of the public domain, as well as ideas about the 'selling power' of a mark (77-79). Stefania Fusco, in discussing the Murano glass vase, shows how glassmakers were granted ad hoc patents by the Venetian state from the late fifteenth to eighteenth centuries (18). When, from the sixteenth century, glassmakers began to leave Venice to relocate elsewhere in Europe, 'they took with them their understanding of the benefits of an exclusive right to practice their inventions' and these understandings contributed to the establishment of patent laws in other countries e.g. Belgium, France and England (22-23). Dev Gangjee uses the history of Champagne as a means of looking backwards, but also speculating forwards, about sui generis protection for geographical indications. He shows that Champagne has exercised a formative influence on the law in the twentieth century, but the 'story of Champagne is still being written': with climate change possibly shifting the focus of wine-making away from continental Europe, Champagne's 'powerful influence' on geographical indications may in the future instead come from England (167).

Other chapters, ask whether the history of a single object can reveal something timeless about intellectual property. Drawing on original archival material, Jane Ginsburg shows a successful application for a papal privilege from the 1590s, for Antonio Tempesta's Map of Rome, to span 'the full range of modern intellectual property rhetoric, from fear of unscrupulous competitors, to author-centric rationales' (42). While some debates from the past may feel familiar, their resolution is bound up with contingency, a point well illustrated by Peter Jaszi's chapter about Harriet Beecher Stowe's nineteenth century novel *Uncle Tom's Cabin*. Jaszi traces 'the winding path that copyright trod in the 19<sup>th</sup> and 20<sup>th</sup> centuries' concerning translation rights, international protection and term (81). History reminds us that the extensive protection which copyright works enjoy today, 'beyond the wildest imagination of Stowe and her contemporaries', is far from timeless or inevitable (87).

Secondly, a number of contributions to *A History of Intellectual Property in 50 Objects*, illuminate important stories about cultural developments. Michael Punt argues that eighteenth century copyright statutes protecting engravings in Britain underpinned the development of Hogarthian art. Copyright gave the artist William Hogarth 'the financial security to use art and aesthetics as an instrument of political resistance' (55). Chris Beauchamp shows that the intervention of Alexander Graham Bell's patent lawyers, defining the invention broadly in the patent, coupled with the subsequent upholding of that patent by the US courts, contributed to popular understandings of Bell as the inventor of telephone technology: 'the saga of Bell's patent framed the way that the origins of the telephone have been understood ever since', that is, 'a single invention, arrived at by a single person in a decisive break from the prior art' (103).

Thirdly, a number of essays provide a sophisticated understanding of the relationship between law and technology. Maurizio Borghi charts the diversity of early twentieth century legal responses, in different jurisdictions, to the emergence of the player piano, technology that marked 'the beginning of a war over the control of music and content that is being fought to this day' (153). Peter Decherney discusses the Kinetoscope developed by Thomas Edison in the late nineteenth century: a peep-show device for individual spectators to peer into and watch moving images. Today, devices for viewing films by single spectators are 'staples of our existence', yet in the late nineteenth and early twentieth centuries, audiences preferred collective viewing of projected films (135). Connecting innovative but unpopular technologies of the past, to those that are ubiquitous today, Decherney shows the history of technology to be punctuated by stops and starts, the picking up of 'lost threads' and the taking of 'new directions', rather than a single linear narrative of technological development (135).

Fourthly, foregrounding objects and their protection by intellectual property laws over a long time-frame, enables interesting observations about rights-holder behaviour over a long trajectory. Jeannie Suk Gersen, in a chapter about the Chanel 2.55 handbag, shows that Coco Chanel, in the 1950s, openly encouraged the copying of her works. By contrast, by the 1980s, with the rights in the hands of Chanel Inc., the approach was far less forgiving of imitation, with millions spent annually on anti-counterfeiting (252). As a consequence, the bag has a 'duality' as 'both the paradigmatic original and the archetypal copy – an embodiment not only of authentic and rarified luxury, but also of fakeness, repetition, reproduction and substitution' (253).

Fifthly, essays in this collection demonstrate that a focus on objects can expose the law's blindness towards certain perspectives. Marie Hadley considers the boxer Mike Tyson's tattoo, recreated without consent on the face of one of the actors in the film *The Hangover Part II*. Hadley notes a conflict between copyright and 'competing cultural rights to indigenous design forms', as Tyson's tattoo was itself inspired by *ta moko*, the tattooing practice of the Maori people of Aotearoa/New Zealand. Claims to the tattoo's appropriation reveal 'the difficulty of claiming one truth in an intellectual property world that was born in the Western philosophical tradition' (401). In another chapter, Kara Swanson shows how the story of patent protection for the corset, as an 'oh so feminine technology, challenged the association of technology, patents and invention with masculinity' in the nineteenth century (89). Not only was corset technology accessible to female inventors, but patent litigation, concerning the corset's utility, provided an opportunity to challenge 'the gendered assumptions of the lawyers, judges, and the law itself' (91).

The above five themes provide a non-exhaustive set of examples of the rich and varied scholarship in the essays comprising *A History of Intellectual Property in 50 Objects* and is indicative of the volume's undisputed scholarly contribution. As a whole, the volume is clearly organised, with the essays categorised into five chronological time periods. The book design is attributed to co-editor Claudy Op den Kamp, a scholar of film studies, and she brings a strong visual dimension. The collection contains copious colour illustrations and these are interspersed between the text in a creative way: text and image are intertwined in the narrative of each chapter. For instance, in Decherney's chapter (discussed above), a picture of a person enjoying the long-forgotten technology of past-times through head phones – the Kinetoscope – is placed side by side with the familiar image today of a person listening to their i-phone. The reader, in one glance, immediately grasps the similarity of the two technologies. Similarly, in a chapter about the protection of the PH-Lamp in the twentieth century, full colour photographs of Poul Henningsen's designs communicates 'the marriage between the aesthetic and the functional', central to Stina Teilmann-Lock's argument about the difficulty of fitting the lamp into intellectual property categories. The images, therefore, are equal partners with the text in the stories told by each author. Indeed, in some cases, such as Swanson's chapter about the corset, punctuated by images which demonstrate the corset's contested cultural status, the images invite the reader to contemplate dimensions that go beyond those discussed in the text: 'the corset as a technology of race as well as of gender' (92-93 and caption on 91).

Despite these strengths – the high quality of individual chapters beautifully crafted into a single volume – there are shortcomings. The history of intellectual property, particularly copyright history, is a burgeoning academic field and the content of the volume should, at least implicitly, reflect developments in scholarship. While the collection does include contributions from a number of undisputed leaders in the field, there are also notable absences from scholars whose original work has been formative of our understanding of intellectual property history in recent years, together with an absence of even some tacit reference to their work. The result is that the volume, taken as a whole, occasionally does not fully represent the current state of learning in the field. For example, Robin Wright's chapter about the Audiotape Cassette looks forward to copyright debates of the twentieth and twenty-first centuries, including the legal treatment of private copying, but that story

might also have been brought into conversation with nineteenth and early twentieth century private copying debates (charted in Isabella Alexander's *Copyright Law and the Public Interest in the Nineteenth Century*, Hart, 2010, 245 and 282). In the Pre-Modern section, the shortest section of the book (comprising just 4 essays and which might have encompassed pre-statutory history in jurisdictions beyond Korea and Italian states) the problem is exacerbated by the odd editorial classification of Andrea Wallace's excellent chapter. The strength of Wallace's scholarship lies with original teaching about *reproductions* of the Mona Lisa in more recent times and not with its broad-brush claims about copyright history, suggesting the absence of protection for art by privileges prior to the copyright statute in France passed in the late eighteenth century (25). The voice of Katie Scott, the author of the landmark work on the protection of art in France, whose extensive archival work has uncovered the multiplicity of ways in which art was protected in the *Ancien Regime* (*Becoming Property: Art, Theory and Law in Early Modern France*. Yale University Press, 2018) is wanting here. Editing a volume of this nature, of course, always involves difficult choices, but different decisions could have been made: one contributor to *A History of Intellectual Property in 50 Objects* is the author of two chapters (Peter Decherney) and one editor is the co-author of the editorial introduction and two chapters dealing with broadly similar subjects (Introduction, Lego Brick and Barbie Doll all co-authored by Dan Hunter).

Despite these criticisms, this volume is a pleasure to read and contains original scholarship of the highest quality. It is recommended both to scholars of law and the humanities, as well as being of general interest to legal practitioners and the general reader.

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