THE ORIGINS OF ORIGINALITY: THE TRUE STORY OF WALTER V LANE

DR BARBARA LAURIAT Senior Lecturer in Law, King's College London

17 FEBRUARY 2017 (FRIDAY) 4.30PM to 6.30PM NUS LAW (BUKIT TIMAH CAMPUS), BLOCK B LEVEL 3, EXECUTIVE SEMINAR ROOM

Commentator:

Professor Graeme Austin, The University of Melbourne, Melbourne Law School & Victoria University of Wellington

Chairperson:

Associate Professor Elizabeth Ng Siew Kuan

Deputy Chair and Director (IP), Centre for Law & Business, NUS Law



ABSTRACT

Originality is a cornerstone of contemporary copyright law; in order to receive protection, works must be 'original'. Yet, throughout the Commonwealth, lawyers must rely on common law interpretations rather than statutory definitions to delineate the boundaries of originality for copyright purposes. One of the persistent challenges for the courts has been identifying when a copy of a work can itself be an original work.

This question of protecting copies of other works arose before originality was even a statutory requirement. In the classic case of Walter v Lane (1900), the House of Lords decided that verbatim reports in The Times of speeches given by the politician Lord Rosebery were protected under the existing copyright legislation. Walter v Lane is a seminal copyright case still cited in 21st-century judgments. But recent archival research has revealed it was also principled personal conflict, with the Bodley Head publisher John Lane (1854-1925) and Liberal editor Charles Geake (1867-1919) on one side and Charles Frederic Moberly Bell (1847-1911), the Managing Director of The Times, on the other. This feud caused embarrassment and upset to Lord Rosebery himself, a friend to both Moberly Bell and Geake, who found himself caught in the middle. This lecture will explore the true story behind Walter v Lane and consider what, if any, lessons the case can still teach us about copyright law today.

ABOUT THE SPEAKER



Dr Barbara Lauriat is a Senior Lecturer in Law at King's College London, teaching and conducting research on intellectual property law subjects. She is also a Research Fellow of the Oxford Intellectual Property Research Centre (OIPRC) in the University of Oxford Law Faculty, an Adjunct Associate Professor at the Notre Dame London Law Centre, and an Associate Academic Fellow of the Honourable Society of the Inner Temple. She serves on the editorial board of Arbitration International and the King's Law Journal and is the academic consultant for Copinger & Skone James on Copyright.

	The			Time	PO
No 38,861.		LONDON, WHIDNESDAY	, NOVEMBER 20, 1889.	O41144	PRICE 34.
FIRTES.	PERSONAL SA	ESTORYALNINGER, Sa. d.	("STATE PARTY POPERTY, Physics.	ARC TEMESTREES, As.	morata te
print No. and on Party maps making Chance the wife of the Party Chance, in widoe, Survey, the wife of W. R. 3005750.	ST PENCIAS STATEM - No. PRATES SOURS STATEMENT OF THE STATEMENT OF T	STATEMETERS T. S. CONCESS. Security. Spr. N. sell.	CHEST 1 2-A-LCS NUMBER TO FROM CONTROL OF THE PARTY OF TH	The state of the state of	A PARTY NAME OF THE PARTY AND PARTY
ACTUAL TO A STREET, S. STREET, No. 1. STREET, AND ALL AND ADDRESS.	And we diegt, afterining Lands, Spinggreiter, S.V., will t	Principle of Post to Americal)	fred from here), to fa	THE ASSETT ADDISORDED MAINTAINING SPRINGER	BURNS HOTEL SHOPE AND A TO SHOPE SHOP SHOPE SHOP
Comment and A Credeland Render, Or will of J. M. accommission on the Comment of Management of the State of th	The Company of the Party of the	S. Principle and S. Stranger of Street, St. Lines and St.	CONTACT PARAGE, Samples and No. 254.	K MERICONERS SES PRIME DE PROPERTY.	BUTHER THAN PATAGE FORM, Salespin Street, Salespin Street
, the traction of a few states of the states of	And the second of Admit Second	POYAL ALBERT EAST, Ground, No. 101. B. Sandyan and Sandy E. Sandyan B. Sandyan and Sandyan B. Sandyan B. Sandyan Sandyan B. Sandyan B. Sandyan B. Sandyan B. Sandyan B. Sandyan B. Sandyan B. Sandyan B. Sandyan B. Sandyan	A PROPERTY OF THE PERSON NAMED AND ASSESSED ASSESSED. THE PERSON NAMED AND ASSESSED ASSESSED ASSESSED AND ASSESSED ASSES	R. BALLERY OF PARK BY WHITE	making held. She clieb, in Spread thread from he notes to prove the nation of the party of the p
17. 31. July Ser. on Colonicatory, States, States, 19825. 17. 18. 18. 18. 18. 18. 18. 18. 18. 18. 18	The state of the s	County was, as Village of the County of the	Time at Court 1. We state the last time to be for come of the state of	THE PROPERTY OF VALUE OF STREET	HUTE RECIENCE IN CORPORATION IN
respectively. M. Martiner, No. with all MUNICIPAL V. A., parties of the United States V. A., parties of the United States V. A., parties of the United States V. A., parties V. A., partie	all makes by the late person from it were a first in the person from it was a first in the person from it was a first in the person from the p	ROLL SOURCE & NUMBERS OF GREAT OF STREET, IN	of lattice of ages regarded 2 the ser ball of the	D toyed atthe and Lipper BRESLODE BY	Penn of Chittle Pauling Hopes, Man and Chittle Pauling Colors of the Color of the C
OF THE PARTY, IN LESSON, Now Addressed, Strategiers, the	the property is the trace of the property of t	A SAND PARTY OF THE PARTY OF TH		Delivery R. t. of the Police, A MOUSTAIN	Lorest voters days form, a
Dr. No. 100 Nov. at The Junes. Houseles, for with at chiracter advisors. Section 100 Nov. in the translation destroys, intention-222 the effect of it.	Plant, Start Marrison L.V. Lott of a Theorem L.V. Lott of a Theorem L.V. Lott of a Theorem L.V. Control of the Control of	Annual Common Company II. James Andrea Strand Store Annual Company and Strategy Store Strand	A THE PERSON OF THE PERSON NAMED IN	A FARRES OF PICTO, ON GUART.	LANGER & WOLFFE COUNTRY From London L
On the Division of Earth seed from the State of the Control of the State of the Sta	PUPET POTENTS REPARE - APPL SECTION OF THE PARE OF THE	comme, no value at liquid-to-to-to-to-to-to-to-to-to-to-to-to-to-	Delta amanger p. Ringred Glart.	A 2 ARTHUR TOP IN MA OPEN CALLED IN.	Title, the FE, well-gamesthele, on Admiss and man, E of the property of the part and the part an
Or the life Now, of Christman Sector, Figland, its with at the new Constant & Township, of Administration of Street, and Philippin Sign. 46 Gibbs Constant of Street, and Philippin Sign. 46 Gibbs Constant of Street, and	Part come have been a sur-	Industry, Print, Courses, of white Print, Pr	Company opening the Park State of the Company of th	Promise at RESERVICE IN THE PARTY OF T	BULLERANTE OFFICE OF THE
Ornelli No. d Baltimer lette De Brane, der le Ornelli lette in Mileten Leibert Marie et Mileten	Han care our control of the party of	Permitty Andreas, Controlled of Models, Programmer of the Controlled of Agreements of the Controlled of the Cont	Balleton's contacted above in saleigh.	A THOMAS MALERY,	POLYMPTONE TO 1882 ZOTEL
"SECRETARIAN OF ANY	The red Good Constitution of the Parties, Sup.	The state of the s	And Open, by here, limited have been been been been been been been be	Transfer with the said	Statement of the control of the property of the control of the con
Condition of Personal Personal of the state	A many tip, and, on the rate of the Street St.	For parameters of the Personal States and Contraction of the States of t		St. SHL Misself Credity which No.	Political and the party of the
School of the state of the stat	Unident of the Control of the Contro	MULTAY COULD GROUP A TOTAL OF	NUMBER OF A DESIGNATION OF THE PARTY OF THE	V SCHROOM, MAY BE: NORTH MIFTON,	The particular of the particular of the latter and of the latter a
AND RESIDENCE AND ADDRESS OF THE ADD		START AN LOGOPTUP BE AN I. W. P.	manhrud maje for off ; Australianure, in ; sometime thereof.	ROADS TOUGHT BY LINE AND INDIGHT. LINE BELLEVILLE.	Harrison Paller Burger, Woman Line Bridge Street, Stre
all de the Pain to District States of the States of Stat	Strangering grants for Smoot of Life English in amounts and only of Contract on Contract of Contract on Contract o	Separate Land Barrier Control of	the parties to the case of the	Two say supermit FIGURES by WILES, one	Oxides which mount on a dr up a
	H 30- 400 Benden Forcier to the board of the	CAME AN IOPOLADON SHIPTS OF REPLY AND ADMINISTRATION OF THE PARTY OF T	LES, and Mrs. Gibbles 1989 of the open	Manors Street Land Tiens, THE ODITIONAL	Ballema mores a sequence of
CONTRACTOR OF STREET	de charte per d'abliques de Characterie le grand a par destablish innecht efficiel auf wie lans harper less in separate, duit d'agree sensi og page templated.	THE LATER SYMPHONY CONCERNS.	Manager of the state of the sta	Also per warms to three charles.	HCRW-S-FEAL CHARLE FOR THE GRANT CHARLES WAS A STREET OF THE STREET OF T
VICTOR VICTORIAN DECEMBER VICTORIAN	NATURAL Andrews for L PLAN BY	The Lorent Street, sometimes	Turney at the state of the stat	A PROMES MARKET CALLERY.	Hubban Cherotic, - ORAND ROLL
AND THE RESERVE OF THE PARTY OF	And the larger contact land distall of the larger contact of the	THE LOUDSE STREET, CONTROL OF THE PARTY OF T	1 TO SANGE A LOUISE TO STARY RESC.	Desira chera legana and des area on these	H 10 Mil Controlly, — OKANO ROLL 1 Mil State and the state of the state of the state 1 Mil State of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the
Charles of the Control of the Contro	san wortholy Date to 214 dard linguist of the	SIS CHARLES MALLEY FOR STAFF	M. S. CHILLE'S RECYALD SOCIETY	DONES CHRISTIAN MAPPENS.	MCRIS CARGO-IN SOTE MUTE FOR
G. C. In No. H. at below Print of the Corp. Indian control	Characterisment is a secretary		POST TAN-HALL (States) Scanes Bruser	DORE GALLERY, M. See Bookstall. On the	Makes decided the street Marris No.
the de Billion Court of December Press. The State of the		ST Principles of Court and	EPTS LEVEL SPECIAL	And he desire the day to the	Note of the last o
TRATES.	Commencial die bei erffindig et bit mies en en getree	TAKE MER PERSONAL PROPERTY OF PROPERTY.	POPPLANTAL THE PRESENT PAGE	parting top of a planta was a few	POWE DE STATE MARKET IN SOCIETA
of the circles of the value	A STATE OF THE PARTY OF THE PAR	RECES GRAND STREETS TAXIAS	Charles of Market Speed of December 1	A STEPOOD RECEIVED BY O'AS.	WHEE SEASON SEED SHITE IN S
THE PARTY OF THE PARTY OF THE PARTY.	AN OF THE REAL PROPERTY AND ADDRESS OF THE	SIR ORANGES MALLOS NAVCHESTED	A JAMARET OF MANUAL PROPERTY OF DRAW OF	Donostanter over memory sector see-	W Miles Many . See Str. (1976)
William or division with	Boul to Stilly of the Walley Senday	W ASTRON RALLAN CONCEPTS - NO. Person	The second second second	G ANT THE GOAL CALL THE BUT SHEET	CATTERN AND MINISTER !

PROGRAMME

4.30 pm Registration & Tea

5.00 pm Welcome

5.05 pm Seminar by Dr Barbara Lauriat

6.05 pm Discussion

6.30 pm End of Session

NUS Law, Centre for Law & Business

The Centre for Law & Business seeks to enhance and promote research and educational opportunities for faculty, students, legal practitioners and business executives who share a common interest in the fields of Law,

Business and Economics. http://law.nus.edu.sg/clb/

REGISTRATION

There is no registration fee for this seminar but seats are limited. To register please <u>click here</u> or scan the QR Code.

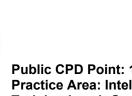
For enquiries, please contact Atikah at clb@nus.ed.sg

Registration Deadline: 14 February 2016 (Tuesday)

ACCREDITED

CPD

ACTIVITY



Public CPD Point: 1.5
Practice Area: Intellectual Property
Training Level: General

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. This includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to http://www.sileCPDcentre.sg for more information.