



UvA-DARE (Digital Academic Repository)

Formalities in copyright law: an analysis of their history, rationales and possible future

van Gompel, S.

Publication date
2011

[Link to publication](#)

Citation for published version (APA):

van Gompel, S. (2011). *Formalities in copyright law: an analysis of their history, rationales and possible future*.

General rights

It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations

If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: <https://uba.uva.nl/en/contact>, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.

Acknowledgements

This book is the result of my PhD project at the Institute for Information Law of the University of Amsterdam. It could not have been written without the guidance and support of my supervisor Bernt Hugenholtz. He provided me with the courage and inspiration to study the topic of copyright formalities and, throughout my research, gave me many useful suggestions, which helped me to successfully bring this PhD project to an end. I am grateful for the opportunities and the considerable freedom that he has offered me to develop my academic skills over the past years.

My mentors Jan Kabel and Lucie Guibault also deserve a special thanks for their advice and support through the various stages of this project. The discussions about the structure and outline of the book, as well as the conversations about the research topic, were very constructive and helped improve the manuscript substantially.

I have received much support from my colleagues and fellow PhD students at the Institute for Information Law, for which I am indebted. In particular, I would like to thank Aernout Nieuwenhuis, for reviewing and commenting on the legal-theoretical chapter of this book, and Bart van der Sloot, for giving me valuable insights into the philosophies of Locke and Hegel. Special thanks are due to Aswin van Rooijen with whom I shared a room at the Institute for many years. The discussions we had about our respective research themes and life inside and outside university added greatly to the academic and social work environment that writing a PhD thesis requires. My thanks also go to Rosanne van der Waal and Fabienne Dohmen for their assistance in procuring sources for my research and to Anja Dobbelsesteen for the organizational and, above all, the moral support I received over the years. Special thanks extended to Christina Angelopoulos for reviewing the English language of the entire book and Gerard Mom for reviewing the Dutch language summary and conclusion.

At an early stage in my PhD, I had the privilege to obtain a fellowship to perform an extensive literature research at the *Max-Planck-Institut für Geistiges Eigentum, Wettbewerbs- und Steuerrecht* in Munich. During my PhD, I have benefited greatly from the literature that I have collected during my stay there. I would like to thank the *Max-Planck-Institut* for its hospitality and for the grant of the fellowship.

I am grateful to Martin Kretschmer and Lionel Bently for inviting me to London to present a paper on the history of copyright formalities at the launch conference of the AHRC Primary Sources on Copyright History Project in 2008. This gave me the opportunity to discuss some preliminary research findings with profound scholars in the field of copyright history. Eventually, this was also my ticket to the 2009 ALAI conference in London where I had the honour of presenting another paper on

ACKNOWLEDGEMENTS

copyright formalities. At the two conferences, I had the pleasure of discussing my research topic, *inter alia*, with Jane Ginsburg. Although our views on formalities seem to be divergent, these discussions provided me with helpful insights, ideas and information. I am pleased to have had the chance to discuss the topic with her.

The two conference papers have been published in edited volumes based on the conference contributions. I am indebted to Lionel Bently and Martin Kretschmer for their detailed comments on preliminary drafts of these papers, in particular because these comments also proved very useful in the course of writing this book.

I would also like to express my thanks to the members of the Study group on the history of copyright of the Dutch copyright society '*Vereniging voor Auteursrecht*'. Since 2007, I have been a member of this Study group. At our various meetings, we have had many fruitful discussions about the history of copyright (formalities).

My acknowledgements further extend to my family and friends and especially to my parents, my sister Ineke and her husband Frank. I thank them for all the support and encouragement they have given me over the years. A special place is reserved for my nephews Stijn and Jori and my niece Minke. The joy that I experience when being around them not only was a pleasant and necessary diversion from academic work, but also a very important motivation to carry on with my research.

Last but certainly not least, I would like to thank my wife Saule. She inspired me to apply for the PhD position back in 2005. More importantly, her unremitting love and support during all these years gave me the strength to finish the project. Writing this doctoral thesis would have been so much more difficult without her by my side. I dedicate this book to her and our lovely daughter Aizhan, who was born at the end of the PhD project, in December 2010.

Except for a few references that have been added later, the research for this book was completed on 1 November 2010. Throughout the book, male pronouns should be understood to include the female gender, unless the pronoun in question is meant to refer specifically to a male person. If not otherwise indicated, I bear the responsibility for the translation of Dutch, French or German texts.

Amsterdam, 1 February 2011