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Editor’s Note

FROM THE DESK
OF
THE CO-EDITORS-IN-CHIEF

Part I of volume 61, Issue 1, contains Modern Technology, Leaky Copyrights, and Claims of Harm: Insights from the Curious History of Photocopying by Diane Leenheer Zimmerman. Her article addresses the issue of “what should count as ‘economic harm’ when determining whether particular kinds of copying are appropriately treated as copyright infringement.” It traces the history of photocopying as it progressed from a period of uncontrolled copying to a licensing system that courts would protect, and then discusses the weaknesses of the argument against unlicensed non-profit copying. The author maintains that the “evidence of palpable harm from noncommercial photocopying is perishingly slight,” and concludes: “the story of photocopying shows is that our assumptions about harm are not always reliable; in fact, it is simply not plausible to assume that the death of copyright is riding in on the back of every new technology.”

Part II is the annual review of copyright, “Recent Developments in Copyright”: Selected Annotated Cases by Thomas Kjellberg, ably assisted by a number of associates. It is an updated version of the materials presented at the last annual meeting.

The issue concludes with Part III, Administrative Developments, and Part IV, the Bibliography.

As always, your comments and suggestions are welcome.

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PART I

ARTICLE