

Avv. Eleonora Rosati



Date of birth: 21/2/1984

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Summary

Italian-qualified lawyer (*avvocato*) with a few years' experience in the field of intellectual property (IP), having worked in the IP departments of Bird&Bird LLP both in Milan and London, Eleonora holds two top marks law degrees from the University of Florence, an LLM in commercial law (IP, international IP, competition law, EU law) from the University of Cambridge, and is about to complete her PhD in copyright law at the European University Institute. She has written extensively in the field of copyright and is part of highly-reputed The 1709 Blog and The IPKat blogging teams, for which she reports and comments on IP-related news from all around the world.

Education

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| 2010 –2012
(expected) | European University Institute, Department of Law: PhD Candidate
Writing a dissertation under the supervision of Prof Giovanni Sartor on <i>Judge-Made EU Copyright Harmonisation. The Case of Originality</i> . |
| 2009-2010 | European University Institute, Department of Law: Master of Research in European, Comparative and International Laws (ungraded)
Wrote a dissertation under the supervision of Prof Giovanni Sartor on <i>Originality in EU Copyright Law</i> . |
| 2008–2009 | University of Cambridge, Faculty of Law: LLM (Upper Second Class Honours – II:1, <i>specialisation</i> : commercial law)
Papers taken: intellectual property, international intellectual property, EU competition law, contemporary issues in the law of European integration. Wrote a dissertation under the supervision of Prof Lionel Bently on <i>The Idea/Expression Dichotomy in International and Comparative Copyright Law</i> . |
| 2006–2008 | University of Florence, Faculty of Law: “Laurea Specialistica” Law Degree (110/110 <i>summa cum laude</i>)
Wrote a degree dissertation under the supervision of Prof Umberto Tombari on defensive measures in takeover bids (<i>Misure Difensive ed Offerte Pubbliche di Acquisto</i>). |
| 7/2007 | University of Cambridge, Faculty of Law
Summer School in English Legal Methods (focus on law of trusts and company law). |
| 2003–2006 | University of Florence, Faculty of Law: “Scienze giuridiche” Law Degree (110/110 <i>summa cum laude</i>)
Wrote a degree dissertation under the supervision of Prof Giovanni Passagnoli on current issues facing copyright law (<i>Profili Attuali della Disciplina del Diritto d'Autore</i>). |
| 1998–2003 | Liceo Scientifico ‘Francesco Redi’, Arezzo, Italy: Maturità Scientifica PNI (high school diploma, 100/100 <i>summa cum laude</i>) |

Awards

- 2010-2012 PhD grant awarded by the Italian Ministry for Foreign Affairs.
- Comitato Elettrotecnico Italiano (Italian Electrotechnical Committee) Award – Best Degree Dissertation – 2006. This national prize is awarded annually and participation is open to law, economics, engineering and political sciences students, whose final degree dissertation relates to themes concerning regulation of technical and technological fields, at either national, European or international level, as well as their economic consequences.
- “Scienze Giuridiche” degree diploma conferred by the Chancellor of the University of Florence, upon the law student for the academic year 2005/2006 who finished his/her studies in the shortest time, with the highest average and the best degree mark.
- “Lavinia Sabini and Giancarlo Stucchi Prinetti” merit scholarship holder in the academic year 2005/2006.

Work Experience

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| 2011 | Intern in the IP Department at Bird&Bird offices in London
Contributed to contentious and non-contentious work in the following fields: copyright law, art law, trademark law (including brand protection strategies), advertising law, design law and patent law. Worked in a team of experienced lawyers (both associates and partners) of the London office. |
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Praticante Avvocato (trainee lawyer) + Avvocato (Italian-qualified lawyer) in the IP Department at Bird&Bird offices in Milan

Contributed to contentious and non-contentious work in the following fields: copyright law, trademark law, advertising law, consumer law and any issue in private law. Dealt with diverse legal issues and drafted pleadings, contracts, documents and specific legal advice. Worked in a team of experienced lawyers (both associates and partners of the law firm and of other firms) and directly interacted with clients, attending to their needs.

Certifications

2011 **Avvocato, Ordine degli Avvocati di Firenze** (Italian-qualified lawyer – admitted to the Florence Bar)

Specialist Blogging Experience

7/2012-present **IPKat team member** (<http://ipkitten.blogspot.com/>)

Reports and comments on various IP-related issues from all around the world. The IPKat weblog was listed as a "Top Legal Blog" in *The Times Online* (March 2011) and was one of only two non-US weblogs listed in the 2010 ABA Journal Blawg 100.

2011-present **1709 Blog team member** (<http://the1709blog.blogspot.com/>)

Reports and comments on copyright-related news from all around the world, with special focus on litigation and legislative initiatives in the EU and US.

Publications**Books**

- E Rosati, *The Idea-Expression Dichotomy at Crossroads. Past and Present of a Concept*, Lap Lambert Academic Publishing, ISBN 978-3-8433-8935-8, 2010

Peer-Reviewed Journal Articles, Chapters and Working Papers

- E Rosati, *The Idea/Expression Dichotomy: Friend or Foe?* (2013) (forthcoming) in R Watt (ed), *Research Handbook on the Economics of Copyright* (Edward Elgar Publishing)
- E Rosati – CM Rosati, *Copyright in Diagnostic Tests: Not Yet the End for Fair Use* (2012) 7(7) *JIPLP* 510-514
- E Rosati – G Sartor, *Social Networks e Responsabilità del Provider* (2012) EUI Working Papers – LAW 2012/05
- E Rosati, *Originality in a Work, or a Work of Originality: The Effects of the Infopaq Decision* (2011) 58(4) *JCoprSoc* 795-817, and 33(12) *EIPR* 746-755
- E Rosati, *The Hargreaves Report and Copyright Licensing: Can National Initiatives Work Per Se?* (2011) 33(11) *EIPR* 673-676
- E Rosati, *Searching Responsibilities for Service Providers: Italian Courts and AGCOM Find (Too) Many Results* (2011) 22(6) *ELR* 169-174
- E Rosati, *Trade Marks with a Reputation: A Flow-Chart Analysis of the Legal Scenario as Resulting from the Decisions in Intel and L'Oréal* (2011) 6(3) *JIPLP* 155-160
- E Rosati, *The Wittem Group and the Project of a European Copyright Code* (2010) 5(12) *JIPLP* 862-868
- E Rosati, *Originality in US and UK Copyright Experiences as a Springboard for an EU-Wide Reform Debate* (2010) 5 *IIC* 524-543
- E Rosati, *La Nuova Disciplina delle Tecniche di Difesa nelle OPA Ostili (The New Legal Framework on Defensive Measures in Takeover Bids)* (2009) 28(5) *Le Società* 567-574

Case Comments

- E Rosati, *Exhaustion Applies also to First Sale of Downloaded Software* (2012) (forthcoming) *JIPLP* (Case C-128/11 *UsedSoft GmbH v Oracle International Corp*, 3 July 2012)
- E Rosati, *US District Court Explains Idea/Expression Dichotomy in Videogames* (2012) 7(10) *JIPLP* 713-714 (*Tetris Holding, LLC and The Tetris Company, LLC v Xio Interactive, LLC*, USDC D New Jersey, 30 May 2012)
- E Rosati, *ECJ Interprets InfoSoc Exception for Ephemeral Recordings* (2012) 7(8) *JIPLP* 557-559 (Case C-510/10 *DR and TV2 Danmark v NCB*, 26 April 2012)
- E Rosati, *On Netlog, ACTA and the Scope of IPR Injunctions in the EU* (2012) 2(3) *QMJP* 297-304 (Case C-360/10 *SABAM v Netlog*, 16 February 2012)
- E Rosati, *US Supreme Court Says Public Domain Works May Return to Copyright* (2012) 7(4) *JIPLP* 238-239 (*Golan v Holder*, 565 US __ (2012))
- E Rosati, *Yahoo! Liable for Contributory Infringement by Display of Links to Infringing Websites* (2011) 6(8) *JIPLP* 521-523 (Tribunale di Roma, *PFA Films S.r.l. v Google Italy, Microsoft S.r.l. and Yahoo! Italia S.r.l.*, ordinanza 20 March 2011)
- E Rosati, *Relighting a Lamp: The CJEU on Revived Protection for Expired Design Rights* (2011) 384 *ITMA Review* 14-16 (Case C-168/09 *Flos v Semeraro Casa e Famiglia*, 27 January 2011)

Book Reviews

- E Rosati, *A Must-Have for Cinema and Copyright Lovers* (forthcoming) *JIPLP*
- E Rosati, *Review of New Challenges of Chinese Copyright Law in the Digital Age* (SH Song) 34(11) *EIPR* 808-809
- E Rosati, *Review of Art & Copyright* (S Stokes) (2012) 34(8) *EIPR* 575-576
- E Rosati, *Copyright's Angels and Demons? They All Serve the Same Goal or, at least, They Could* (2012) 7(6) *JIPLP* 474-475
- E Rosati, *Making Your Way to Success in a Digital World of Contracts* (2012) 7(1) *JIPLP* 70-71
- E Rosati, *Advertising is Based on Happiness...and the Law* (2011) 6(12) *JIPLP* 912-913
- E Rosati, *Greed is not Good, not even for IP* (2011) 6(10) *JIPLP* 750-751
- E Rosati, *Combining Theory and Practice to Understand (and Reform?) Publicity Rights* (2011) 6(9) *JIPLP* 668-669

- E Rosati, Inheriting Culture: What Challenges for the Law? (2011) 6(8) *JIPLP* 585-586
- E Rosati, An Engaging Anti-Idyll: Copyright and Moral Rights in the UK (2011) 6(7) *JIPLP* 503-504
- E Rosati, Addressing the Role of the WTO in the Promotion of a World-Scale Market for Intangibles: What's Next? (2010) 5(11) *JIPLP* 820-821
- E Rosati, On Secondary Infringement and Beyond: The Future of Online Copyright Law (2010) 5(4) *JIPLP* 282-284

Recent Presentations and Lectures at Seminars, Conferences and Courses

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| 12/11/2012 | <i>Software Usato ed Esaurimento: Un Approccio poco Soft in UsedSoft</i> (Used Software and Exhaustion: A Non-Soft Approach in <i>UsedSoft</i>) – ALAI Italian Chapter, Rome (Italy) |
| 8-9/11/2012 | <i>Towards an EU-Wide Copyright? (Judicial) Pride and (Legislative) Prejudice</i> – First International Colloquium on Law and ICT/IP, George-August-Universität Göttingen (Germany) |
| 7/7/2012 | <i>IP e Digitalizzazione: Tendenze ed Orientamenti Giurisprudenziali</i> – Master in Diritto delle Nuove Tecnologie e Informatica Giuridica (Master Course on the Law of New Technologies and Legal Informatics), University of Bologna (Italy) |
| 13/6/2012 | <i>Google Transparency and the Challenges of Content Control</i> – FAST Legal Advisory Group Meeting, London (UK) |
| 11-15/6/2012 | <i>Technological Developments in Media and Related Challenges for Copyright</i> – Summer School for Journalists and Media Practitioners, Robert Schuman Centre for Advanced Studies, Florence (Italy) |
| 24-25/5/2012 | <i>Trademark Enforcement over the Internet in Recent CJEU Case Law</i> – Antitrust, Unfair Competition and Trademarks: Exploring the Boundaries (Joint Workshop EUI/Humboldt University of Berlin), European University Institute, Florence (Italy) |
| 27/4/2012 | <i>Copyright in the Digital Environment</i> – IP Protection in the Digital Environment, AIPPI Latvian National Group, Riga (Latvia) |
| 23/4/2012 | <i>EU Copyright Harmonisation Through Case Law: The Case of Originality</i> – InfoSoc Working Group, European University Institute, Florence (Italy) |
| 23/1/2012 | <i>The SOPA Debate: A EU Perspective</i> – The Internet: Politics and Law, European University Institute, Florence (Italy) |
| 24/5/2011 | <i>Searching Responsibilities for Service Providers: Italian Courts and AGCOM Find (Too) Many Results</i> – Legal Education Programme, Bird&Bird LLP, London (UK) |
| 20/2/2010 | <i>The Invisible Man. Originality in EU Copyright Reforms</i> - Law Student Colloquium ("Rethinking Law"), Trinity College, Dublin (Ireland) |
| 18/1/2010 | <i>Copyright Term Extension: "A Candle to Rent-Seeking Moths"?</i> - Regulating the Information Society: Digital Contents and Property Rules, European University Institute, Florence (Italy) |
| 12/11/2009 | <i>Search Engine Keywords and Trademark Use</i> - Competition Law and Intellectual Property Rights, European University Institute, Florence (Italy) |
| 10/7/2009 | <i>Illusions Perdus. The Idea/Expression Dichotomy at Crossroads</i> - Annual Conference of the Society for Economic Research on Copyright Issues (SERCI), Berkeley (CA) |

Fellowships and Memberships

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| <ul style="list-style-type: none"> • European Law Institute • Copyright Society of the USA | <ul style="list-style-type: none"> • ALAI Italy • BLA©A |
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Languages

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| <ul style="list-style-type: none"> • Italian: native speaker | <ul style="list-style-type: none"> • English: fluent in writing, reading, speaking and listening |
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References available on request