1. An Introduction to Domestic and International Intellectual Property Law

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**European Intellectual Property Law (2nd edn)**

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**Chapter:**

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This chapter commences the discussion of the European law of IP by introducing the domestic and international IP systems that preceded and continue to exist alongside it. It starts with the ‘what, how, and why’ of IP law in general—what it is, how it came to be, and why it exists—and proceeds to consider European IP law as part of an international network of IP laws that, while being a product of the domestic IP laws of individual European states, nonetheless differs from those laws in three related aspects. First, unlike domestic IP laws, many international laws operate by establishing legal standards for states to implement within their own territories rather than by regulating the behaviour of those states’ citizens. Second, the need for international legal communities to accommodate the diverse values and legal traditions of their member states makes their IP laws and policies less likely to reflect a single model
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or justificatory theory of IP than those of individual countries. And third, a central aim of international European IP communities is to supplement or substitute domestic laws and policies with European laws and policies in pursuit of European objectives, including some that stand in tension with domestic interests, such as the abolition of territorial restrictions on the operation of IP regimes.

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