



GUIDELINES FOR CONTRIBUTORS

Law

1. Introduction

These notes are intended to help you prepare a chapter that will harmonize with other contributions and minimize additional work. A neat, well-prepared text with minimum formatting will enable the copyeditor, typesetter, and proofreader to do their work efficiently. Careful preparation of the chapter will also reduce the amount of correction required at proof stage. Please remember that amendments and corrections are both costly and time consuming at all stages and may increase the list price of the book as well as delay publication.

Our typesetters will use your electronic files to ensure the accuracy of the text and minimize the number of errors introduced during typesetting. Please follow the guidelines closely. Always ensure that the version of your chapter on CD is the final revised version and that it matches the paper copy of the chapter exactly.

The chapter should not exceed the length specified unless by prior agreement with the editor. Figures and tables should be included in the word count with each figure counting as 500 words and each table as 300 words.

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I have been invited by Edward Elgar Publishing to contribute a chapter to the book "....."

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I hope that you will grant me non-exclusive world language rights to use the above in both print (hardback and paperback) and electronic formats. I will of course include the normal form of acknowledgement to the original source of publication.

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With many thanks for your assistance,

Yours sincerely,

PERMISSION GRANTED

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Libel

Please ensure that you do not make any defamatory or injurious statement about living persons, institutions or other organizations which could result in libel claims.

2. Presentation

Present your chapter as simply as possible. Do not do any designing or formatting as complex formatting will have to be stripped out. It will take up more of your time and will also complicate and delay the production process.

The chapter should be set out double-spaced (including quotations, bibliography, references and notes), with wide margins (1.25 inches or 3 cm wide). Please use the same typeface throughout.

All text should be ranged left, unjustified and without hyphenation for word division at the ends of lines. Use hard carriage returns only to end headings and paragraphs and to signify indents. Use tabs to identify new paragraphs.

Be careful not to key in unnecessary spaces: only one space is necessary at the end of a sentence after a full point. One space must be keyed after a comma or other punctuation and before an opening parenthesis. There is no space between initials (Mr JB Smith) or between acronyms (USA).

Your chapter should contain a logical sequence of main sections, preceded by a heading and each of these headings can be divided into further sub-sections. Leave additional spacing above and below section headings and above and below indented quotes (see section on Quotations in Appendix B).

Text should be saved as a .doc file. A current version of Microsoft Word is recommended because it is so widely used. If you are not able to use Word we ask that you save files in rich text format. Figures should be saved in separate files. The original figures files should be supplied in a separate file. Do not embed figures in the text. (See Appendix A.)

When you are ready to submit your final chapter use the 'Save as ...' option to save the most recent version of your electronic file and then print out one hard (i.e. paper) copy of the complete chapter on one side of the paper only. Send this copy and the electronic files on CD to your editor. You should, of course, retain one hard copy of the text for safekeeping. Please ensure that what is on the CD exactly matches the hardcopy.

Label your CD with your name, chapter title, the title of the manuscript, file names and the date files were created. Please check your CDs for viruses before sending them. When sending your CDs by post, ensure that they are properly protected from damage. Always keep an identical copy of your CD in case it is damaged in transit.

Please look over the hardcopy to ensure that pages, tables and figures, etc. appear correctly. This will minimize potential delays.

Secure your chapter with elastic bands rather than binding it in any way.

Appendix A: Figures and tables

Figures, tables, maps etc. should be created in black and white only and should be sharp, clear and legible and with the minimum line weight greater than hairline. If artwork is scanned use 300 dpi for grayscale (image size should be c1600 x 2600 pixels) and 1200 dpi for line drawings. Please provide figures suitable for use in the finished book.

Tables, figures, maps and other artwork previously published will require permission and it is the responsibility of the contributor to clear this prior to the chapter submission, and to advise us what form of acknowledgement is required by the copyright holder. (See pages 2-3 for more on permissions.)

You should supply all figures, graphs, maps etc. at the same time as the final manuscript. These should not be embedded in the text, but should be supplied separately.

Tables should be set out clearly using only horizontal rules. They may need to be re-keyed by the typesetter.

Figure and table captions should be included in the chapter with an appropriate note indicating clearly where each figure or table is to appear. All figures and tables should be numbered consecutively within each chapter.

Inclusion of photographs is discouraged unless absolutely necessary. Please contact your commissioning editor to discuss further.

Appendix B: House style and spelling

The main points of style to which we prefer our books to conform are outlined here but we are happy to accept any reasonable consistent style. We would stress the three 'c's as criteria in all cases of doubt: common usage, consistency and, above all, clarity. Remember that direct quotations should not be changed to conform to our house style but should appear as in the original.

ABBREVIATIONS are usually expressed without full stops.

ACCENTS are retained in foreign words, except in French upper case.

COMMAS should be omitted before the final 'and' or 'or' in lists unless the concepts in the list are complicated and the comma aids clarity. Commas are usually unnecessary after adverbial phrases or conjunctions, especially when they begin a sentence - for example: yesterday, however, at last, during the summer.

DATES should be written 18 August 2007 and decades should be the 2000s without an apostrophe.

FOOTNOTES - Insert superior figures in the text at the appropriate point, with each chapter starting a new sequence of numbers

FULL POINTS are not needed after headings (including table headings), sub-headings or figure captions or after names and addresses printed below prefaces or in, for example, specimen letters.

HYPHENATION - Avoid using hyphens wherever possible, unless doing so makes the text confusing.

PARENTHESES (round brackets) should be used for simple interpolations, with square brackets used for editorial notes or interpolations in quotations.

QUOTATIONS/EXTRACTS must be an exact reproduction of the original in both spelling and punctuation even if this conflicts with the style in the rest of the book. Use single quotes for extracts in the text of less than 50 words in length and double quotes for quotes within quotes. For extracts exceeding 50 words in length material should be indented from the left margin, with space above and below and quotation marks omitted. Mark as 'extract' in the margin. Any notes or editorial comment within the extracts should appear in square brackets and any omissions should be indicated by 3 dots followed by a full

point if it occurs at the end of a sentence. Ensure that opening quotation marks are distinguished from closing quotation marks.

SPELLING should be standardized. It is helpful if you can supply a separate list of decisions made about spellings. Where a dictionary gives alternative spellings for some words please use the -ize suffix where possible.

Omit apostrophes in plurals, for example 1950s, MPs.

Avoid too much emphasis. Italics should be used sparingly for emphasis.

Replace parochialisms such as 'in this country' or 'this year' with the country name or specific year.

In lists use 1,2,3, and so on for major lists and a,b,c for lists within major lists.

Appendix C: Words ending in -ise, -ize, and -yze

(i) Use -ize in preference to -ise as a verbal ending in cases where both spellings are in use. Generally corresponding to the Greek -izo, it is added to form verbs to the stems of nouns ending in -ism, -ization, -izer, -y, and to complete nouns.

Examples:

agony	agonize	criticism	criticize
appetizer	appetize	philosophy	philosophize
civilization	civilize	standard	standardize
colony	colonize	transistor	transistorize

Verbs in -ize formed on proper names:

bowdlerize, galvanize, macadamize, pasteurize.

(ii) The ending -ise must be used when the verb corresponds to a noun having -ise as part of the stem, e.g. in the syllables – vis- (seeing, as in televise), -cis- (cutting, as in excise), -mis- (putting, as in compromise), and when it is identical with a noun in -ise, as in exercise, surprise.

(iii) Nouns with endings other than -ism, -ization, -izer, and -y, such as those in -ition and -ment, are not usually associated with verbs in -ize (or -ise). Exceptions are aggrandizement/aggrandize, recognition/recognize, and others noted in *The Concise Oxford Dictionary* as 'assimilated to verbs in -ize'. Reference should be made to COD and Collins' *Authors' and Printers' Dictionary* in doubtful cases.

Some of the more common verbs in -ise follow:

advertise	demise	excise	promise
advise	despise	exercise	revise
analyse	devise	franchise	supervise
apprise	disfranchise	improvise	surmise
arise	disguise	incise	

(iv) -ise is also a termination of some nouns:

compromise	enterprise	franchise	surmise
demise	exercise	merchandise	surprise
disguise	expertise	reprise	

(v) In verbs such as analyse, catalyse, paralyse, -lys- is part of the Greek stem (corresponding to the element -lusis) and not a suffix like -ize. The spelling -yze is therefore etymologically incorrect, and must not be used.

Appendix D: OSCOLA Quick Reference Guide

Downloaded from <http://www.law.ox.ac.uk/published/OSCOLA_Quick_Reference_Guide_001.pdf> accessed 4 February 2011; the complete 4th edition of OSCOLA is available at <http://www.law.ox.ac.uk/published/OSCOLA_4th_edn.pdf> accessed 4 February 2011

Primary Sources

Do not use full stops in abbreviations. Separate citations with a semi-colon.

Cases

Give the party names, followed by the neutral citation, followed by the *Law Reports* citation (eg AC, Ch, QB). If there is no neutral citation, give the *Law Reports* citation followed by the court in brackets. If the case is not reported in the *Law Reports*, cite the All ER or the WLR, or failing that a specialist report.

Corr v IBC Vehicles Ltd [2008] UKHL 13, [2008] 1 AC 884

R (Roberts) v Parole Board [2004] EWCA Civ 1031, [2005] QB 410

Page v Smith [1996] AC 155 (HL)

When pinpointing, give paragraph numbers in square brackets at the end of the citation. If the judgment has no paragraph numbers, give the page number pinpoint after the court.

Callery v Gray [2001] EWCA Civ 1117, [2001] 1 WLR 2112 [42], [45]

Bunt v Tilley [2006] EWHC 407 (QB), [2006] 3 All ER 336 [1]–[37]

R v Leeds County Court, ex p Morris [1990] QB 523 (QB) 530–31

If citing a particular judge:

Arcscott v The Coal Authority [2004] EWCA Civ 892, [2005] Env LR 6 [27] (Laws LJ)

Statutes and statutory instruments

Act of Supremacy 1558

Human Rights Act 1998, s 15(1)(b)

Penalties for Disorderly Behaviour (Amendment of Minimum Age) Order 2004, SI 2004/3166

EU legislation and cases

Consolidated Version of the Treaty on European Union [2008] OJ C115/13

Council Regulation (EC) 139/2004 on the control of concentrations between undertakings (EC Merger Regulation) [2004] OJ L24/1, art 5

Case C–176/03 *Commission v Council* [2005] ECR I–7879, paras 47–48

Case C–556/07 *Commission v France* [2009] OJ C102/8

European Court of Human Rights

Omojudi v UK (2010) 51 EHRR 10

Osman v UK ECHR 1998–VIII 3124

Balogh v Hungary App no 47940/99 (ECHR, 20 July 2004)

Simpson v UK (1989) 64 DR 188

Secondary Sources

Books

Give the author's name in the same form as in publication, except in bibliographies, where you should give only the surname followed by the initial(s). relevant information about editions, translators and so forth before the publisher, and give page numbers at end of the citation, after the brackets.

Thomas Hobbes, *Leviathan* (first published 1651, Penguin 1985) 268

Gareth Jones, *Goff and Jones: The Law of Restitution* (1st supp, 7th edn, Sweet & Maxwell 2009)

K Zweigert and H Kötz, *An Introduction to Comparative Law* (Tony Weir tr, 3rd edn, OUP 1998)

Contributions to edited books

Francis Rose, 'The Evolution of the Species' in Andrew Burrows and Alan Rodger (eds), *Mapping the Law: Essays in Memory of Peter Birks* (OUP 2006)

Encyclopedias

Halsbury's Laws (5th edn, 2010) vol 57, para 53

Journal articles

Paul Craig, 'Theory, "Pure Theory" and Values in Public Law' [2005] PL 440

When pinpointing, put a comma between the first page of the article and the page pinpoint.

JAG Griffith, 'The Common Law and the Political Constitution' (2001) 117 LQR 42, 64

Online journals

Graham Greenleaf, 'The Global Development of Free Access to Legal Information' (2010) 1(1) EJLT <<http://ejlt.org//article/view/17>> accessed 27 July 2010

Command papers and Law Commission reports

Department for International Development, *Eliminating World Poverty: Building our Common Future* (White Paper, Cm 7656, 2009) ch 5

Law Commission, *Reforming Bribery* (Law Com No 313, 2008) paras 3.12–3.17

Websites and blogs





















Sarah Cole, 'Virtual Friend Fires Employee' (*Naked Law*, 1 May 2009) <<http://www.nakedlaw.com/2009/05/index.html>> accessed 19 November 2009

Newspaper articles

Jane Croft, 'Supreme Court Warns on Quality' *Financial Times* (London, 1 July 2010) 3

Appendix E: Common proofreading marks

Instruction	Textual mark	Margin mark	Comment
No corrections on this page	[None]		Mark indicates that the page has been looked at.
Leave unchanged ('stet')	<u>InterColor</u> consortium		Often added to cancel an instruction wrongly requested.
Remove unwanted marks	under ^o no circumstances		May be applied to blemishes in reprographics
Refer to appropriate authority	<u>InterColor</u> consortium	?	For use when the proofreader is unsure, or where a style guide can be referred to
Insert new matter	The red hen	little l	
Insert additional matter	required l However, as		Additional matter is supplied on a separate sheet marked with reference letter.
Delete	See the table on page 5.		(In practice, these are usually the same in modern typesetting: 'close up' can be inferred from context.)
Delete & close up	See <u>the</u> table on page 5.		
Substitute character	The little red h en	e	
Substitute string of characters e.g. word	The little red hen	black	Vertical marks at end of line help to indicate boundaries.
Wrong type font used; replace with correct font	Too <u>many</u> cooks		(May also need to refer to style guide or give type specifications.)
Insert a full point	This sentence must end l		(The encircling ring helps to identify the character, which might otherwise be mistaken for a spot on the proof.)
Insert a colon	This clause has a point l		
Insert a semi-colon	This is wrong l I should	;	(In this example, a semi-colon is being substituted rather than inserted.)
Insert a comma	Fish l chips and peas	. or	(As a comma is so small, to circle it might be wise.)
Insert single quotes	The l liberated l territory	' '	The additional mark under the punctuation helps to indicate the superscript positioning
Insert double quotes	The l liberated l territory	" "	
Insert apostrophe	The child s pajamas	'	
Substitute character in superscript or subscript position	23,500 m 3 of lumber	³	
	An escape of CO 2 gas	₂	

Instruction	Textual mark	Margin mark	Comment
Set in or change to italics	An <u>incredible</u> fortune		
Set in or change to bold	An <u>incredible</u> fortune		
Set in or change to bold italics	An <u>incredible</u> fortune		
Set in or change to capitals	When in <u>Rome</u> , do as		
Set in or change to small capitals	<u>When in Rome</u> , do as		(Some typefaces have a complementary 'expert set' containing small capitals.)
Capitals for initials; rest in small capitals	<u>When in Rome</u> , do as		
Change capitals to lower case	<u>FAILURE</u> is seen		
Change small capitals to lower case	<u>FAILURE</u> is seen		
Change italic to roman	An <u>incredible</u> fortune		
Start new paragraph	are confirmed. <u>The new name for the company is</u>		
No new paragraph; run on	are confirmed. <u>The new name for the</u>		
Insert space between characters/words	This type <u>face</u> is called	 or 	# is typographer's shorthand for 'space'.
Close space between characters/words	This type <u>face</u> is called		
Indent text by amount indicated	are confirmed. <u>The new name for the company</u>	 1 em	(An em is a space equal to the body size of the type; other units of measure could also be used e.g. millimetres.)
Cancel indent	are confirmed. <u>The new name for the company</u>		
Transpose characters	Accidents <u>ah</u> ppen		
Transpose words	This <u>fat</u> <u>full</u> cheese		
Take over to new line	Cider apples have been <u>a</u> major source of income		
Take back to preceding line	Cider apples have been <u>a</u> major source of income		

Example of copyedited page

of the TRIPS Agreement, the unique character of the agreement when compared with other WTO treaties is widely acknowledged.⁴⁷ In contrast to the core provisions of GATT and of other free trade agreements, TRIPS does not aim at negative economic integration through eliminating trade barriers, but far more ambitiously seeks to set up common (albeit minimum) substantive standards for private IP rights. It can consequently be viewed as a measure of positive integration, of market-building, to borrow terminology from the Europeanisation debate,⁴⁸ implying ^a stronger pull toward political coordination and toward common interpretation and enforcement policies. This twist toward legalisation and centralisation raises institutional issues that are specific ^{to} for the domain of IP in the international regime of global trade governance. ✓

3.4. Interests, stakes and participation in the international political process

If viewed through the lenses of institutional choice, the international political process offers varying incentives for alternative interests to participate and influence IP law and policy making, leading to particular decision-making dynamics. In an insightful analysis of the European political process, Miguel Maduro distinguishes between the interests of states and of non-state actors, qualifying the former as vertical and the latter as horizontal.⁴⁹ ✓
Consequently he identifies instances of both vertical and of horizontal majoritarian, ^{and} _{and} respectively minoritarian bias. Indeed majoritarian and minoritarian bias can plague political processes not only at domestic, but also at the international level. ✓

⁴⁷ Abbott (1997); Dreyfuss and Lowenfeld (1997).

⁴⁸ See Scharpf (2002).

⁴⁹ Maduro Poiares (1998), at 118.

(1 pt rule)

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4.7. Remedies and Compliance

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An important factor influencing the incentives to use the WTO Dispute Settlement System is the credible prospect of remedying alleged violations. Theoretically, compliance with DSB recommendations should strengthen the confidence in multilateral rule-based trade governance and should intensify recourse to the DSS even on the part of actors in weaker economic and bargaining position. However, remedies and compliance have turned out to be one of the weak spots in the system. Although a party that has been found in violation of a WTO Agreement, including TRIPS, is in principle bound to amend its legislation or measures accordingly, the remedies against non-compliance are imperfect. First, while a panel can establish a violation, it is not bound to, and will not always, suggest a way in which the violation shall be removed.¹¹⁹ Secondly, even if a panel prescribes the manner in which a state shall comply, failure of states to follow the panel's recommendation can hardly be countered by immediate and effective sanctions. The system allows a number of ways for losing parties to "procrastinate" through deliberate delay strategies, like disputing the reasonable period of time for implementing the DSB recommendation (21.3 DSU), making half-hearted efforts to comply merely in order to preempt retaliation and to invoke a "compliance panel" under Article 21.5 DSU, in order to ascertain whether these efforts have been effective, etc.¹²⁰ Infamously, the major players in the WTO system are often in default to comply, demonstrating disregard for the multilateral rule-based regime of international trade. Here the limits of a system that builds essentially on intergovernmental cooperation become apparent.

Compared with other trade-related issues, compliance with DSB recommendations in the case of TRIPS violations may be an even more complex matter, difficult to monitor and administer. This is in particular so in the case of infringements of obligations concerning enforcement and procedural issues.¹²¹ Furthermore, the available remedies for non-compliance have proven particularly difficult to enforce. As is well-known, Article 22.1 DSU sets out the principle that the complaining party "should first seek to

¹¹⁹ Mavroidis (2000), 779; Zimmerman (2006), 67.

¹²⁰ See Mavroidis (2000), 794 et seq. See, however, the AB report in the *US – Continued Suspension of Obligations in the EC – Hormones Dispute* (DS 320). On the inflamed issue of sequencing, see Mavroidis (2000), 795 et seq.; Zimmerman (2006), 68.

¹²¹ Fukunaga has argued that this is one of the main reasons why the DSS is rarely used by developed states vis-à-vis developing countries with deficient enforcement standards (2008).