



Mastering Art Law (Mastering Series)

Herbert Lazerow

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Herbert Lazerow is a Professor of Law at the University of San Diego School of Law.

This book tracks all published Art Law casebooks. It begins by asking what art is, and why there should be special rules for it.

There follows a section on the rights and responsibilities of artists and collectors in areas such as freedom of expression, defamation, the right of publicity, the rights of privacy, copyright, trademark, moral rights, resale royalties, and the tax consequences of common art-related transactions. The book then treats commercial dealings in art, such as problems of authentication or ownership of the work, and commercial relationships between artists, collectors, dealers, auction houses and financiers of the art world. It deals with the law governing the organization and operation of museums, including employment law. The international treatment of art is discussed in terms of special rules for art in times of hostilities and occupation, as well as peacetime law governing the movement of art or artifacts across national boundaries, and national control of its artistic patrimony. A series of chapters detail the law on preservation of U.S. artistic heritage, such as historic preservation law, the ownership of artifacts found on land or under water, and special rules applicable to Native American remains and artifacts.

The book concludes with a discussion of rules of international litigation frequently encountered in art law controversies, such as jurisdiction, foreign sovereign immunity, Act of State, forum non conveniens, choice of law, enforcing foreign law, and proving foreign law.

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