

It's law eZine ...but not as you know it!

LAW & DISORDER

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For further information on matters referred to in this ezine please go to www.lawanddisorder.com.au.

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The Law & Disorder eZine attempts to provide legal information in an entertaining and amusing manner to help clients avoid predictable legal issues.

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Moral Rights - Something that you can take with you



If deep down you are a Latin, fiery tempered, Hemingway sort caught in the world of the metro male, then moral rights are for you as they are about honour, respect and reputation.

Moral rights are:

- o For attribution of authorship. Meaning, when people use your holiday photographs they must say that it was your creative work. This right can

often be waived in common law countries like Australia, which is a great relief in the case of some works.

- o Against your work being falsely attributed to another. If you create something worthwhile other people will step forward to say it is theirs. In some cases, they are right.

- o For integrity of authorship against derogatory treatment of your work. This means unauthorised alterations or more hysterically "distortions and mutilations" that are prejudicial to your honour or reputation. For instance, alterations which associate the author with something that he is not e.g. strong

drink, or places doubt on the author's skills e.g. lousy in bed or bad at driving.

It is a defence if the use was reasonable. It is a subjective test taking into account your feelings.

The court will look at the nature of the work, the purpose for which it is used and the manner and context of use. For instance, the author's investment of his personality in the creation of the work. Therefore, in moral rights, as in law, a huge ego can give you quite an advantage.

Moral rights are only available during your life time; they are one of the few things that you can take with you.

Disappointingly, moral rights are about injunctions and public apologies rather than money. Of course, you can claim compensation but if you really are the fiery, Hemingway sort, the insultingly low damages awarded by a court may just set you off all over again.

(c) Paul Brennan 2013. All rights reserved. Paul Brennan is the author of Easy IP - How to use the law to protect your money-making ideas. A book and DVD. To see please go here <http://www.lawanddisorder.com.au/EasyIPbook.html>.

Marriage and Death



Disturbingly, thirty-eight per cent of murdered women are killed by their husbands. Often, wives are strangled in the bedroom whereas husbands are stabbed in the kitchen. Hence, the increasing popularity of knife blocks.

With the current divorce rate hovering at around fifty per cent, gay marriage will give a much needed boost to the married

community's numbers. However, an unintended consequence could be an increase in the Matrimonial Murder Rate ("MMR").

It would be especially regrettable if traditions were ignored and bodies began to be strewn all over the place. Although, anyone who has seen the Sopranos will know that sexist jibes about men's reputations for untidiness should not extend to the disposal of bodies where a quick go round with the vacuum cleaner will not do.

Of course, the introduction of same-sex couples could even things up and reduce the MMR by making it less likely that one party could overwhelm the other, a sort of Matrimonial Mutual

Assured Destruction ("MMAD").

A further improvement in the MMR could be achieved by the introduction of polygamy to give married women backup. Saturday night fights between couples could become all night tag fixtures enjoyed by the whole family and neighbours alike.

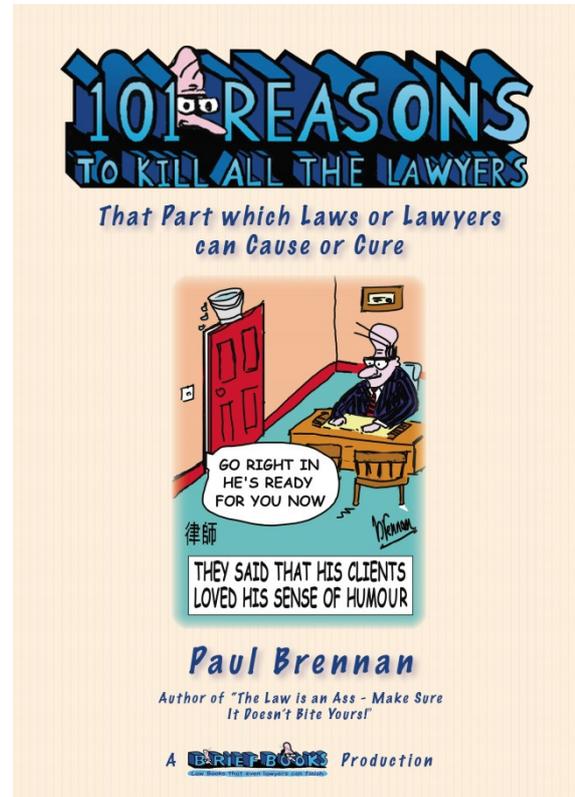
Same-sex polygamy would allow fanatical football supporters to demonstrate their commitment by marrying and settling down with the entire team and give the rest of us a break.

I asked my wife, "How many husbands do you think are murdered by their wives?" and she said, "Not enough." I may need back up.

(c) Paul Brennan 2013. All rights reserved. Extract from **101 Reasons to Kill All the Lawyers Blog**. which has been selected as one of the Top Ten Legal Blogs in Australia. There is a poll to **register your vote** for your favourite Australian legal blog at this website **<http://www.separoviclawyers.com/who-is-your-favorite-australian-legal-blog/>**.

Diary of a book launch

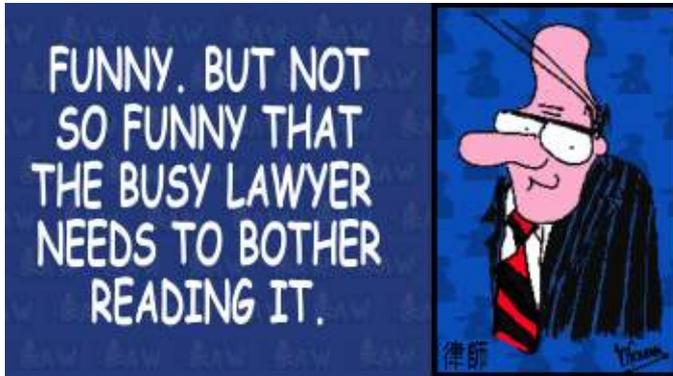
["Did J.K. Rowling secretly contribute?"](#) was just one of the questions that I was not asked at the NSW launch of my new book which took place on the Fourth of July at the [Rotary Club of North Sydney](#). I was aware of the conflict in choosing the Fourth of July but felt that as we were not really worried about the Americans celebrating their Independence in 1774, why start now?



The President of the Rotary club had been the [Executive Producer](#) of the [Skippy TV series](#) and I think he was ready to concede that if Skippy had had a lawyer he could have avoided a lot of the difficult situations that he encountered week after week.

Some of the other attendees were a Vicar, an [Irish comedian](#), a [legal playwright](#), an in-house lawyer with [Australian Corporate Lawyers Association](#) (who to his credit did not mention share options or 5 star hotels even once), a sub-editor of the [NSW](#)

Law Society (whose job is to say nice things about lawyers-it would not suit everyone), a philatelist, a legal comedian and a



Hong Kong weather man.

This month's Reviews of the book:

A humorous insight into the idiosyncratic ways of

lawyering, catchy in its unpredictability with clever anecdotes about a lawyer's lot. Peter Fagan- NSW Law Society Journal.

If you've had one of those weeks (or semesters) where you've found yourself thinking that this law caper is horribly dry and dull, 101 Reasons to Kill all the Lawyers is a book to revive your spirits....read more at

<http://survivelaw.com/index.php/blogs/procrastination/1391-book-review-101-reasons-to-kill-all-the-lawyers-by-paul-brennan>.

Survive Law the blog for law students and law graduates

Go here : <http://www.amazon.com/books/dp/0987489402> for more information or to order the book from Amazon

WINNER OF THE LEGAL BRIEFS CAPTION COMPETITION

Thank you to all those who submitted captions.



The winning entry is from RODNEY MARKS, comic hoaxer
<http://www.comedian.com.au/>

Rodney WINS : one pair of legal briefs bearing his winning caption "This is a Bum Wrap" from the legal lingerie shop <http://www.cafepress.com/legalbriefsboutique> (you may need to insert the URL twice into the browser) together with an autographed copy of [101 Reasons to Kill all the Lawyers - That Part which Laws or Lawyers can Cause or Cure](#)

The next cartoon caption competition shall be in the January 2014 edition.

Disclaimer: The content of the Law & Disorder eZine is to give you legal basics and in some instances, included unashamedly to try and make you laugh. In law, it is sometimes difficult to work out what is serious and what is just for fun. Therefore, if you plan to do anything legal, rely on your own lawyer's advice or instruct me to look at the particular facts of your case. Not only will I deny responsibility for the legal content but also for some of the jokes.
